



## **Town of Sunnyvale**

**Town Council  
Monday, May 14, 2012**

**Special Meeting  
6:00 p.m.**

**Regular Meeting  
7:00 p.m.**



**TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
SPECIAL MEETING  
MONDAY, MAY 14, 2012  
6:00 P.M.**

**CALL TOWN COUNCIL MEETING TO ORDER**

**EXECUTIVE SESSION**

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

**EXECUTIVE SESSION AGENDA:**

**A. SECTIONS 551.071 – PENDING LITIGATION CONSULTATION WITH ATTORNEY**

- 1. ICP VS. TOWN OF SUNNYVALE**
- 2. VULCAN VS. TOWN OF SUNNYVALE**

**END OF EXECUTIVE SESSION**

Reconvene into open session and take any action necessary as a result of the Executive Session.

**1. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:**

**A. SECTIONS 551.071 – PENDING LITIGATION CONSULTATION WITH ATTORNEY**

- 1. ICP VS. TOWN OF SUNNYVALE**
- 2. VULCAN VS. TOWN OF SUNNYVALE**

**ADJOURN**

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

THE FOREGOING NOTICE WAS POSTED IN THE FOLLOWING LOCATIONS:

SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON MAY 11, 2012, IN THE FOLLOWING LOCATIONS AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:**

**TOWN HALL AT 127 N. COLLINS ROAD**

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**LESLIE MALONE, TOWN SECRETARY**



**TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
MONDAY, MAY 14, 2012  
7:00 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL MEETING TO ORDER**

Mayor calls the Meeting to order, state the date and time. State Councilmember's present and declare a quorum present.

**PUBLIC FORUM**

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

**RECOGNITION OF OUTSTANDING SUNNYVALE HIGH SCHOOL STUDENTS**

**CONSENT AGENDA ITEM #1 THROUGH #3**

All items on the consent agenda are routine items and may be approved with one motion; should any member of the Town Council or any individual wish to discuss any item, said item may be removed from the consent agenda by motion of the Town Council.

**CONSIDER APPROVAL OF THE FOLLOWING MINUTES:**

- 1. SPECIAL MEETING OF 04/23/2012.**
- 2. REGULAR MEETING OF 04/23/2012.**
- 3. SPECIAL JOINT MEETING WITH 4A DEVELOPMENT CORPORATION OF 04/30/2012.**

**END OF CONSENT AGENDA**

**PUBLIC HEARING**

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 4. APPLICATION FOR SITE PLAN**  
APPLICANT: ECI ACADEMY  
AT OR ABOUT: 302 TOWN EAST BLVD  
REQUEST: CHANGE OF USE

## **DISCUSSION/ACTION ITEMS**

5. **PRESENTATION OF REQUEST FROM THE STONE CANYON HOME OWNER'S ASSOCIATION FOR INSTALLATION OF ENTRYWAY GATES**
6. **CONSIDERATION OF ORDINANCE NO: 12-07: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING SECTION 6 OF ORDINANCE NO. 549, CONCERNING THE REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, BY ESTABLISHING THE PERCENTAGE OF INCREMENTAL SALES TAX AND PROPERTY TAX INCREMENT INCLUDED WITHIN THE TAX INCREMENT FUND FOR THE REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS; AMENDING EXHIBIT B OF ORDINANCE NO. 549, CONCERNING THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS, BY APPOINTING THE BOARD OF DIRECTORS TO REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**
7. **MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS**

## **ADJOURN**

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

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THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

THE FOREGOING NOTICE WAS POSTED IN THE FOLLOWING LOCATIONS:

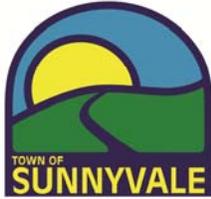
SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON MAY 11, 2012, IN THE FOLLOWING LOCATION AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:**

*Leslie Malone*  
TOWN HALL AT 127 N. COLLINS ROAD

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LESLIE MALONE, TOWN SECRETARY



**MINUTES  
TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
WORKSHOP  
MONDAY, APRIL 23, 2012  
6:00 P.M.**

	<b>MAYOR</b>	<b>JIM PHAUP</b>
	<b>MAYOR PRO-TEM</b>	<b>KAREN HILL</b>
	<b>COUNCILMEMBER</b>	<b>PAULA YATES</b>
	<b>COUNCILMEMBER</b>	<b>SAJI GEORGE</b>
	<b>COUNCILMEMBER</b>	<b>RONNIE HENDERSON, JR</b>
<b>ABSENT</b>	<b>COUNCILMEMBER</b>	<b>PAT WILEY</b>

**CALL MEETING TO ORDER**

Mayor Phaup called the Special Town Council Meeting of Monday, April 23, 2012, to order at 6:00 p.m. and declared a quorum present. Councilmember Wiley was absent.

**1. CONDUCT TRAINING ON IPAD PAPERLESS AGENDA SYSTEM.**

Town Secretary Leslie Malone conducted training on the iPad paperless agenda system.

**ADJOURN**

Mayor Phaup adjourned the meeting at 7:05 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

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Mayor Jim Phaup

ATTEST:

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Leslie Malone, Town Secretary



**MINUTES  
TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
MONDAY, APRIL 23, 2012  
7:00 P.M.**

**MAYOR  
MAYOR PRO-TEM  
COUNCILMEMBER  
COUNCILMEMBER  
COUNCILMEMBER  
COUNCILMEMBER**

**JIM PHAUP  
KAREN HILL  
PAULA YATES  
SAJI GEORGE  
RONNIE HENDERSON, JR  
PAT WILEY**

**INVOCATION**

Mayor Pro-Tem Hill led the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Phaup led the Pledge of Allegiance.

**CALL MEETING TO ORDER**

Mayor Phaup called the Regular Town Council Meeting of Monday, April 23, 2012, to order at 6:01 p.m. and declared a quorum present. All Councilmembers were present.

**PUBLIC FORUM**

Gene Swank, resident of 421 Mustang Drive, stated that there had been a recent increase in crime, burglaries, and car break-ins in the Stone Canyon Addition. Mr. Swank requested the Council hold a Public Hearing to discuss the Neighborhood's plan to address the issues that would require no additional funds, and would not impact traffic on neighboring streets.

Town Manager Scott Campbell stated this item would be discussed at a Public Hearing in May.

**CONSENT AGENDA ITEM #1 THROUGH #2**

All items on the consent agenda are routine items and may be approved with one motion; should any member of the Town Council or any individual wish to discuss any item, said item may be removed from the consent agenda by motion of the Town Council.

**CONSIDER APPROVAL OF THE FOLLOWING MINUTES:**

- 1. REGULAR MEETING OF 04/09/2012.**
- 2. SPECIAL MEETING OF 04/12/2012.**

Mayor Pro-Tem Hill moved, and seconded by Councilmember Henderson, to approve the Consent Agenda Items 1 and 2. Mayor Phaup called for a vote, with all Councilmembers voting affirmative, the motion passed 5/0.

## **END OF CONSENT AGENDA**

### **UPDATE FROM 4A DEVELOPMENT CORPORATION PRESIDENT**

- **SUNNYVALE CENTER DEVELOPMENT**
- **RECENT TRAINING**

4A Development Corporation President Terri Shatter reminded the Council there would be a Joint Meeting/Workshop with the 4A Development Corporation on April 30, 2012, to discuss the Sunnyvale Centre Development. Specifically, the Council and 4A Development Corporation will review the Performance Agreement and proposed Ring Road for Sunnyvale Centre. The Developer may experience increased construction costs if the Agreement is not in place soon. More information regarding the Tax Increment Reinvestment Zone will be provided at the meeting as well.

President Shatter also stated she had recently attended the Texas Economic Development Corporation Training Conference. Approximately 60 people from throughout the state were in attendance. As a result of the training, President Shatter developed a list of tasks for the new Economic Development Director which include an update to the website, strategic plan, business visits, an annual breakfast, and using social media.

Councilmember Henderson stated that he will not be available to attend the Joint Meeting/Workshop on April 30<sup>th</sup>. Considering a Resolution to approve the Performance Agreement for Sunnyvale Centre seems rushed.

President Shatter stated the 4A Development Corporation has been working on the agreement for a year and half. There is a need to move forward due to construction costs.

### **PUBLIC HEARING**

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

#### **3. APPLICATION FOR PRELIMINARY PLAT**

APPLICANT: RICHARD HOVAS  
AT OR ABOUT: STONEY CREEK BLVD  
REQUEST: STONEY CREEK PHASE 2-B

Director of Community Development Steve Gilbert informed the Council this is the same request as the preliminary plat considered by Council in 2007. The plat includes 74 lots. The Planning and Zoning Commission unanimously recommended approval.

In response to a question from Mayor Pro-Tem Hill, Gilbert stated the Developer would have to abide by soil compaction requirements.

Applicant Richard Hovas with Tipton Engineering, located at 6330 Broadway Blvd., Suite C, Garland, stated the Developer is working to sell the dedicated open space to the Crownovers, an adjacent property owner. Once the sale is completed, it will be reflected on the Final Plat.

Mayor Phaup opened the Public Hearing. No public comments were made. Mayor Phaup closed the Public Hearing.

Mayor Pro-Tem Hill asked if the open space will have fencing around it as in the Deer Creek Addition.

Mayor Phaup stated fencing in open space areas would be addressed at the next meeting.

Mayor Pro-Tem Hill made a motion to approve the preliminary plat for Stoney Creek Phase 2-B subject to the completion of the Staff Report dated April 19, 2012, and completion of the buffer sale. Councilmember Wiley seconded the motion. Mayor Phaup called for a vote, with all Councilmembers voting affirmative, the motion passed 5/0.

#### **4. APPLICATION FOR PRELIMINARY & FINAL PLAT**

APPLICANT: YESENIA SIGALA-GARCIA  
AT OR ABOUT: 492 POLLY ROAD  
REQUEST: POLLY-SIGALA

Director of Community Development Steve Gilbert informed the Council this application is for a one lot subdivision located at or about 492 Polly Road. The applicants removed the old home on the property and are requesting to build a new home. The Planning and Zoning Commission unanimously recommended approval of the application for preliminary and final plat. Two favorable responses were received from surrounding property owners.

Applicant Yesenia Sigala-Garcia, currently a resident at at 300 Windridge Drive, stated she has lived in Sunnyvale for twelve years and has owned the property at 492 Polly Road for 8 years.

Mayor Phaup opened the Public Hearing. No public comments were made. Mayor Phaup closed the Public Hearing.

In response to a question from Mayor Pro-Tem Hill, Director of Community Development Gilbert stated the applicant would not be requesting a variance for a lighted entrance or street light. The applicant intends to have a lighted entrance.

Councilmember Yates made a motion to approve the application for a preliminary and final plat subject to the Staff Report dated April 19, 2012. Councilmember Wiley seconded the motion. Mayor Phaup called for a vote, with all Councilmembers voting affirmative, the motion passed 5/0.

#### **5. CONSIDER ORDINANCE NO. 12-05: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS. 324, 332, 338, AND 339, AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE PROVISIONS RELATING TO CLASSIFICATION OF INDUSTRIAL USES IN THE GENERAL BUSINESS, HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICTS; ADDING DEFINITIONS OF SUCH USES; CHANGING THE LAND USE**

TABLES; PROVIDING FOR CONFLICTS; PROVIDING A SEVERABILITY CLAUSE;  
AND PROVIDING AN EFFECTIVE DATE.

Town Manager Scott Campbell informed the Council this Ordinance is a result of meetings with the Town Council, Planning and Zoning Commission, and Staff. The Town Planner, Sherry Sefko, prepared this ordinance based on the last workshop of the Town Council and Planning and Zoning Commission.

Town Planner Sherry Sefko gave an overview of the exhibits to the Ordinance. The Ordinance and attachments were presented to the Planning and Zoning Commission, and the Commission recommended approval as presented.

Councilmember Henderson confirmed with Planner Sefko the only changes in the attached Chart are in the General Business, Highway Commercial, and Industrial Uses.

Mayor Phaup opened the Public Hearing. No public comments were made. Mayor Phaup closed the Public Hearing.

Mayor Phaup stated the adoption of this Ordinance will be a large step forward in updating the Town's Zoning Ordinance, but much more work needs to be done.

Councilmember Henderson made a motion to approve Ordinance 12-05, an Ordinance of the Town of Sunnyvale, Texas, amending Zoning Ordinance No. 324, duly passed by the Town Council on January 31, 2000; as amended by Ordinance Nos. 324, 332, 338, and 339, and as amended from time to time; so as to change by adoption of amendments to the text of the Town's Zoning Ordinance provisions relating to classification of Industrial Uses in the General Business, Highway Commercial and Industrial Districts; adding definitions of such uses; changing the Land Use Tables; providing for conflicts; providing a severability clause; and providing an effective date. Councilmember Yates seconded the motion. Mayor Phaup called for a vote, with all Councilmembers voting affirmative, the motion passed 5/0.

**6. CONSIDER ORDINANCE NO. 12-06:** AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS. 324, 332, 338, AND 339, AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE PROVISIONS RELATING TO CLASSIFICATION OF A NEW USE, ALTERNATIVE FINANCIAL ESTABLISHMENT; ADDING DEFINITIONS AND SPECIAL REGULATIONS FOR SUCH USES; ADDING A DEFINITION FOR BANK OR FINANCIAL INSTITUTION; AMENDING THE GENERAL BUSINESS AND INDUSTRIAL DISTRICT REGULATIONS TO PROVIDE FOR SUCH USES; CHANGING THE NON-RESIDENTIAL USE SUMMARY CHART FOR SUCH USES; PROVIDING FOR CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Phaup stated the Ordinance addresses one of the Council's Strategic Action Items.

Town Manager Scott Campbell informed the Council that the current Zoning Ordinance does not address Alternative Financial Establishments, and the Town Planner, Sherry Sefko, had

been asked to review. The Planning and Zoning Commission reviewed and recommended approval of Ordinance 12-06.

Town Planner Sherry Sefko briefly explained each of the exhibits attached to the Ordinance. In response to a question from Mayor Phaup, Sefko stated that the Ordinance is similar to other cities in that it requires the Alternative Financial Establishment to obtain a Conditional Use Permit. Most cities do not address locations for Alternative Financial Establishments, but of those that do, the requirements are similar.

Mayor Phaup opened the Public Hearing. No public comments were made. Mayor Phaup closed the Public Hearing.

Mayor Pro-Tem Hill made a motion to approve Ordinance 12-06, an Ordinance of the Town of Sunnyvale, Texas, amending Zoning Ordinance No. 324, duly passed by the Town Council on January 31, 2000; as amended by Ordinance Nos. 324, 332, 338, and 339, and as amended from time to time; so as to change by adoption of amendments to the text of the Town's Zoning Ordinance provisions relating to classification of a new use, Alternative Financial Establishment; adding definitions and special regulations for such uses; adding a definition for bank or financial institution; amending the General Business and Industrial District regulations to provide for such uses; changing the non-residential use summary chart for such uses; providing for conflicts; providing a severability clause; and providing an effective date. Councilmember Henderson seconded the motion. Mayor Phaup called for a vote, with all Councilmembers voting affirmative, the motion passed 5/0.

## **DISCUSSION/ACTION ITEMS**

### **7. COUNCIL DISCUSSION AND ACTION REGARDING PREVIOUS MOWING OF COMMON AREAS WITHIN THE STONE CANYON SUBDIVISION.**

Mayor Phaup informed the Council the Town recently mowed property that is currently the responsibility of the Stone Canyon Home Owner's Association in error. The property is unique in that the property was given to the Town; however, the Home Owner's Association (HOA) leased back the land and is responsible for the maintenance of the land.

Town Manager Scott Campbell informed the Council the HOA notified the Town the property needed to be mowed. After reviewing the Dallas County Appraisal District's website, which shows the property to be owned by the Town, Staff mowed the property three times. Normally, the Town would charge \$120 to mow the property.

Councilmember Henderson stated he brought the error to the attention of Staff. This was an error by the Town, and the costs should be shared by the Town and the HOA, due to the HOA initially requesting the Town to mow the property.

Mayor Pro-Tem Hill stated this was an error of the Town and invoicing the HOA does not create goodwill.

Councilmember Henderson made a motion to invoice the Stone Canyon Home Owner's Association \$180 for mowing of common areas within the Stone Canyon Subdivision.

Councilmember Wiley seconded the motion. Mayor Phaup called for a vote, with Councilmember Henderson voting affirmative. Mayor Pro-Tem Hill and Councilmembers George, Yates, and Wiley voted they were opposed to the motion. The motion failed with a vote of 1/4.

## **MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.**

Mayor Phaup informed the Council there would be a Town Council Candidate Forum held on Thursday, April 26<sup>th</sup>. The Council will also have a Joint Meeting/Workshop with the 4A Development Corporation on Monday, April 30<sup>th</sup>.

### **EXECUTIVE SESSION**

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

#### **Sec. 551.074. PERSONNEL MATTERS**

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

#### **Municipal Court Judge**

Mayor Pro-Tem Hill made a motion to recess into Executive Session at 8:02 p.m., pursuant to Chapter 551, Subchapter D of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Municipal Court Judge in accordance with Section 551.074 of the Texas Local Government Code. Councilmember Wiley seconded the motion. Mayor Phaup called for a vote, with all councilmembers voting affirmative, the motion carried 4/0. Councilmember Yates briefly stepped out of the meeting.

### **END OF EXECUTIVE SESSION**

Mayor Phaup reconvened the Town Council Meeting at 8:35 p.m. and declared no action would be taken as a result of the Executive Session.

### **ADJOURN**

Mayor Phaup adjourned the meeting at 8:36 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

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Mayor Jim Phaup

ATTEST:

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Leslie Malone, Town Secretary



**MINUTES  
TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
SUNNYVALE 4A DEVELOPMENT CORPORATION  
SPECIALLY CALLED JOINT MEETING  
MONDAY, APRIL 30, 2012  
6:00 P.M.**

**TOWN COUNCIL MEMBERS:**

	<b>MAYOR</b>	<b>JIM PHAUP</b>
	<b>MAYOR PRO-TEM</b>	<b>KAREN HILL</b>
	<b>COUNCILMEMBER</b>	<b>PAULA YATES</b>
	<b>COUNCILMEMBER</b>	<b>SAJI GEORGE</b>
<b>ABSENT</b>	<b>COUNCILMEMBER</b>	<b>RONNIE HENDERSON, JR</b>
	<b>COUNCILMEMBER</b>	<b>PAT WILEY</b>

**4A DEVELOPMENT CORPORATION MEMBERS:**

<b>PRESIDENT</b>	<b>TERRI SHATTER</b>
<b>VICE PRESIDENT</b>	<b>RACHEL DOYLE</b>
<b>SECRETARY</b>	<b>HARI PILLAI</b>
<b>TREASURER</b>	<b>DAVID CARLILE</b>
<b>MEMBER</b>	<b>BILL METZGER</b>

**CALL MEETING TO ORDER**

4A Development Corporation President Shatter called the 4A Development Corporation Meeting to order at 6:03 p.m. Members Shatter, Doyle, Pillai, and Carlile were present. Member Metzger arrived at 6:15 p.m.

Mayor Phaup called the Town Council Meeting to order at 6:04 p.m. Councilmembers Phaup, Hill, Yates, and George were present. Councilmember Wiley arrived at 6:05 p.m. Councilmember Henderson was absent.

**EXECUTIVE SESSION**

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

**EXECUTIVE SESSION AGENDA:**

**SECTIONS 551.086 – ECONOMIC DEVELOPMENT**

**TO DISCUSS A PROPOSED ECONOMIC DEVELOPMENT AGREEMENT FOR PROPERTY AT OR ABOUT THE SOUTHWEST CORNER OF US HWY 80 AND COLLINS ROAD.**

Councilmember Yates made a motion to recess into Executive Session at 6:04 p.m. Mayor Pro-Tem Hill seconded the motion. Mayor Phaup called for a vote with all Councilmembers voting affirmative, the motion passed 3/0. Councilmember Wiley arrived at 6:04 p.m. Councilmember Henderson was absent.

4A Development Corporation President Shatter recessed the 4A Development Corporation into Executive Session at 6:04 p.m.

**END OF EXECUTIVE SESSION**

Mayor Phaup reconvened the Town Council meeting into Open Session at 7:15 p.m.

President Shatter reconvened the 4A Development Corporation meeting into Open Session at 7:15 p.m.

**DISCUSSION/ACTION ITEMS:**

**1. TO CONSIDER A RESOLUTION APPROVING A PERFORMANCE AGREEMENT WITH RKS SUNNYVALE II, INC., A TEXAS CORPORATION, FOR THE CONSTRUCTION OF THE SUNNYVALE CENTRE RING ROAD AND RELATED INFRASTRUCTURE IMPROVEMENTS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE**

**A. 4A DEVELOPMENT CORPORATION TO CONSIDER RESOLUTION 2012-02: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNNYVALE 4A DEVELOPMENT CORPORATION, A TYPE A ECONOMIC DEVELOPMENT CORPORATION APPROVING A PERFORMANCE AGREEMENT BY AND BETWEEN THE SUNNYVALE 4A DEVELOPMENT CORPORATION AND RKS SUNNYVALE II, INC., A TEXAS CORPORATION, FOR THE CONSTRUCTION OF THE SUNNYVALE CENTRE RING ROAD AND RELATED INFRASTRUCTURE IMPROVEMENTS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

4A Development Corporation Vice President Doyle made a motion to approve Resolution 2012-02, a Resolution of the Board of Directors of the Sunnyvale 4A Development Corporation, a type A Economic Development Corporation approving a performance agreement by and between Sunnyvale 4A Development Corporation and RKS Sunnyvale II, Inc., a Texas corporation, for the construction of the Sunnyvale Centre Ring Road and related infrastructure improvements; and providing for an immediate effective date amending Section 4(d) to read "...The first Sales Tax Reports from Developer to EDC shall be due **March 31, 2018...**" and Section 4(e) to read "The Developer covenants and agrees it will use reasonable efforts to verify, and report sales tax for the calendar year 2017, by **March 31, 2018...**" Corporation Secretary Pillai seconded the motion. Corporation President Shatter called for a vote with Corporation members Shatter, Doyle, Pillai and Carlile voting affirmative, and member Metzger voting against the Resolution, the motion passed 4/1.

**B. TOWN COUNCIL TO CONSIDER RESOLUTION 12-12: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, APPROVING AND RATIFYING AN AGREEMENT BY AND BETWEEN THE SUNNYVALE 4A DEVELOPMENT CORPORATION AND RKS SUNNYVALE II, INC., A TEXAS**

CORPORATION, FOR THE CONSTRUCTION OF THE SUNNYVALE CENTRE RING ROAD AND RELATED INFRASTRUCTURE IMPROVEMENTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

Mayor Phaup stated the 4A Development Corporation had been working to negotiate with RKS to construct the Ring Road for the Sunnyvale Centre Development. Mayor Phaup gave a brief overview of the Performance Agreement.

Mayor Phaup opened the floor for Public Comments.

Anna Osborne, 100 Longhorn Circle, asked what was being done to address increased traffic.

Mayor Phaup stated that addressing traffic on Collins Road with an expansion has been a Council priority for some time.

Hector Torres, resident of 64 Duck Creek Way, asked when the size of the proposed sign be addressed.

Mayor Phaup stated it would be sometime this summer.

Gene Swank, 421 Mustang Drive asked if there were any businesses currently working to locate within the development.

Mayor Phaup stated that an agreement is eminent according to the developer. A grocery store is the ultimate target. The proposed agreement is a stimulus to encourage development.

Mayor Pro-Tem Hill stated this is not a new subject. The 4A Development Corporation and the Developer came to Council about a year ago. The 4A Development Corporation's task is to generate economic growth.

In response to a question from a citizen, Mayor Phaup stated no 4B Development Corporation income will be used to satisfy the agreement.

A citizen also asked if the 4B Development Corporation could work with a proposed Sporting Goods Store to develop trails in the area.

Mayor Phaup stated that would be a great discussion when the Planned Development is discussed.

Councilmember George stated this is the culmination of year-long discussions.

Mayor Pro-Tem Hill made a motion to approve Resolution 12-12, a Resolution of the Town Council of the Town of Sunnyvale, Texas, approving and ratifying an agreement by and between the Sunnyvale 4A Development Corporation and RKS Sunnyvale II, Inc., a Texas corporation, for the construction of the Sunnyvale Centre Ring Road and related infrastructure improvements; providing a severability clause; and providing for an

immediate effective date amending Section 4(d) to read "...The first Sales Tax Reports from Developer to EDC shall be due **March 31, 2018...**" and Section 4(e) to read "The Developer covenants and agrees it will use reasonable efforts to verify, and report sales tax for the calendar year 2017, by **March 31, 2018...**" Councilmember Yates seconded the motion. Mayor Phaup called for a vote with all Councilmembers voting affirmative, the motion passed 4/0. Councilmember Henderson was absent.

**2. 4A DEVELOPMENT CORPORATION & TOWN COUNCIL TO HOLD DISCUSSION REGARDING TAX INCREMENT REINVESTMENT ZONE NO. 1 (TIRZ # 1) PROCESS, PROCEDURES, PARTICIPATION, AND BOARD APPOINTMENTS.**

4A Development Corporation Attorney Jeff Moore gave an overview of Reinvestment Zones.

4A Development Corporation President Terri Shatter stated the next step is for the Council to appoint a Board with two year terms and determine Council participation at the May 14<sup>th</sup> Town Council Meeting.

**ADJOURN**

Mayor Phaup adjourned the Town Council meeting at 8:20 p.m.

President Shatter adjourned the 4A Development Corporation meeting at 8:20 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

\_\_\_\_\_  
Mayor Jim Phaup

\_\_\_\_\_  
President Terri Shatter

ATTEST:

\_\_\_\_\_  
Leslie Malone  
Town Secretary



## Town Council Item

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**Meeting date 5-14-12 @ 7:00 PM**

**Applicant/ property**

ECIA Charter School District– 302 Town East Blvd

**Request:** Site Plan submitted for change in use.

This request was presented to the Planning and Zoning Commission March 19, 2012 and received a recommendation for approval. Council considered this request on April 19 to allow adequate time for Town staff to confer with the City of Mesquite to discuss potential traffic concerns for Town East Blvd.

**Staff Comment:**

After reviewing the proposed change in use and site plan with their staff, Mesquite requested the applicant submit a Traffic Impact Analysis (TIA) to determine effects for Town East Blvd. The applicant submitted the TIA, which indicates the proposed use will not negatively affect traffic on Town East Blvd. or the site circulation. The report indicated no need for modifications at this time.

On May 7<sup>th</sup>, Town staff, the applicant, and Mesquite staff met to discuss the TIA. All parties agree with the findings in the TIA, however also agree that issues such as increased future enrollment, facility expansions, or significant increases in traffic counts could necessitate the applicant's future installation of sidewalks to accommodate pedestrian traffic, school crossing, and the possibility of a traffic signal.

Staff recommends any approval include the condition that increased enrollment, expansion of facilities, or increased traffic volumes as a result of the operation as identified by the Town or the City of Mesquite would require installation of the items listed above.

There were 71 notices mailed. As of May 10, 2012, 2 of the responses received were in favor, 7 opposed. All 5 of the responses received from the original notice sent in March were opposed, and of the 4 received from the re-notice in May, 2 were in favor, 2 opposed.

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Steve Gilbert,  
Director of Community Development  
Building Official

pt 2 = 3-19-12  
 Council = 3-26-12 @ 7:00 pm.



**TOWN OF SUNNYVALE**  
 127 N Collins Road  
 Sunnyvale, Texas 75182  
 (972) 203-4188

DEVELOPMENT APPLICATION	
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Replat
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Amending Plat
<input type="checkbox"/> Preliminary Site/Concept Plan	<input checked="" type="checkbox"/> Site Plan
<input type="checkbox"/> Landscape	<input type="checkbox"/> Building Elevations
<input type="checkbox"/> Tree survey	

FILE NO: 1307

**PROPERTY INFORMATION**

Addition Name: <u>Berean Baptist Church</u>	Address/Location: <u>302 Town East</u>
Lot(s): <u>1</u> Block: <u>1</u>	Current Zoning: <u>Commercial</u>
# of Acres: <u>15.682</u>	# of Units: <u>0</u>

**APPLICANT INFORMATION**

Name: <u>Jackie Whitaker</u>	Company: <u>A.R.I.S.E., Inc./dba Education Center Int'l Academy</u>
Mailing Address: <u>P.O. Box 852337</u>	
City: <u>Mesquite</u> State: <u>Texas</u>	Zip: <u>75185-2337</u>
Phone: <u>214-703-9008</u> Fax: <u>214-628-9124</u>	Email: <u>Jackiedwhitaker@yahoo.com</u>

**OWNER INFORMATION**

Name: <u>Berean Baptist Church</u>	Company:
Mailing Address: <u>302 Town East</u>	
City: <u>Sunnyvale</u> State: <u>TX</u>	Zip: <u>75182</u>
Phone:	Email:

**SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS**

- (Check those that apply)
- |  |                            |
|--|----------------------------|
| <input type="checkbox"/> Preliminary Plat & Checklist              | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Final Plat & Checklist                    | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Amended Plat & Checklist*                 | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Minor Plat & Checklist*                   | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Replat & Checklist*                       | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Preliminary Site/Concept Plan & Checklist | 24"x36", 4 copies (folded) |
| <input checked="" type="checkbox"/> Site Plan & Checklist          | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Landscape Plan & Checklist                | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Building Elevations                       | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Photometric/Lighting                      | 24"x36", 2 copies (folded) |
| <input type="checkbox"/> Tree Survey & Checklist                   | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Civil Engineering Plans                   | 2 Sets (rolled)            |
- \*Use final plat checklist

(See Fee Schedule for all Amounts)

- Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Fee: \$250.00 3/2-22-12  
 Fee: \_\_\_\_\_  
 Fee: \_\_\_\_\_



*"They received the word with all readiness of mind, and searched the scriptures daily..." Acts 17:11*

February 6, 2012

*David Mills  
Pastor*

*Mike Harper  
Pastor*

*Ken Case  
Pastor*

*Rusty Ferguson  
Children's Minister*

*Cindy Gregory  
Administrative Assistant*

*302 N. Town East Blvd.  
Sunnyvale, TX 75182*

*Mailing:  
P.O. Box 850921  
Mesquite, TX 75185*

*972.226.7803  
Fax: 972.203.2901*

*Email:  
cindy@iamberean.com*

*Website:  
iamberean.com*

To whom it may concern:

Berean Baptist Church, 302 N. Town East Blvd., Sunnyvale TX 75182, authorizes Education Center International Academy, their administration and consultants, to research our property with the potential for purchase, including information provided by the Town of Sunnyvale.

Education Center International Academy will:

- (1) Employ only trained and qualified inspectors and assessors;
- (2) Notify Don Tillery, Service Realty, in advance, who will make appointments with Berean Baptist Church for inspectors or assessors to be on the property;
- (3) Abide by any reasonable entry rules or requirements of Berean Baptist Church;
- (4) Not interfere with existing operations or occupants of the property;
- (5) Request approval from Berean Baptist Church prior to engaging in any alterations or modifications to the property, and
- (6) Restore the Property to the original condition if altered due to inspections, studies, or assessments that Education Center International Academy completes or causes to be completed.

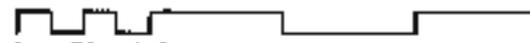
*Warren F. Lynch*

Trustee - Berean Baptist Church





**BEREAN BAPTIST CHURCH**





**Notice of Application for Site Plan  
Town of Sunnyvale**

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This site is currently the Berean Baptist church. This application is for a change of use at this location for an open enrollment charter school.

The Planning and Zoning Commission will hear this application on March 19, 2012 and the Town Council will consider the application on March 26, 2012. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The Site Plan application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

*Steve Gildart*

I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

*already a very busy traffic area,  
worried about adding to that.*

Signature:

*Mrs. A. R. Henson*

Printed Name:

*A. R. & Dorothy Henson*

Address:

*200 N. Town East Blvd.*

Date:

*March 13, 2012*



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation: TO MUCH NOISE + HEAVY TRAFFIC

Signature: -

*Anita Presley*

Printed Name:

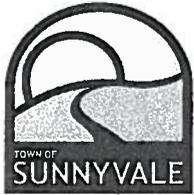
ANITA PRESLEY

Address:

230 + 240 TOWN EAST / SUNNYVALE

Date:

3/13/12



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

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Signature:

Printed Name:

ERIN GRAY

Address:

Date:

 Ms. Erin Gray  
3403 Fallbrook Dr.  
Sunnyvale, TX 75182-4019



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

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Signature:

*Barbara Brown*

Printed Name:

BARBARA BROWN

Address:

3404 Fallbrook Dr

Date:

3-14-2012



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

*It is already loud in that area from the day care. Am also concerned about elder kids and driving. We already have loud & fast cars on Town East with no light at Glenwick & Town East.*

Signature:

*Cheryl Morris Mike Mad*

Printed Name:

*Cheryl Morris + Mike Morris*

Address:

*342 Chatram Sunnyvale*

Date:

*March*



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature:

*Thomas Rajan*

Printed Name:

THOMAS RAJAN

Address:

316 MECSHIRE ST. SUNNYVALE, TX 75189

Date:

5/07/12



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I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

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Signature:

*Barbara Brown*

Printed Name:

BARBARA BROWN

Address:

3404 FAIRBROOK DR

Date:

5-5-2012



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- I am in favor of the Site Plan  
 I am opposed to the Site Plan

Explanation:

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Signature:

*Eun Gray*

Printed Name:

Eun Gray

Address:

3403 Fairbrook Drive

Date:

3/5/2012



## Notice of Application for Site Plan Town of Sunnyvale

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- I am in favor of the Site Plan  
 I am opposed to the Site Plan

Explanation:

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Signature:

*Mike Larsen*

Printed Name:

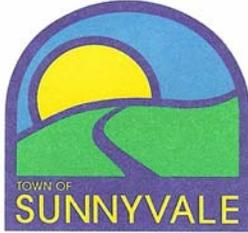
MIKE LARSEN

Address:

3320 CHAPELWOOD DRIVE

Date:

5/6/2012



To: Town Council  
From: Scott Campbell, Town Manager  
Date: May 10, 2012  
Re: Agenda Item 5

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As you are likely aware, the Stone Canyon HOA has informed the Town that they would like to install security gates at each of the three ingress/egress points of their subdivision. Attached please find the related information packet provided by the HOA. Previously, you were copied on a memorandum from our land use attorney on this. The Town Engineer has reviewed the HOA's information packet we do have concerns regarding the functionality of the gates, as the entryways were not originally constructed to accommodate security gates, so we are working through the technical issues and will be ready to address these issues Monday night. HOA representatives have been provided our comments, and will be prepared to address them on Monday night.

While there is no formal action required, we seek council's input on this request as the HOA is ready to move forward.

Council Members,

The residents of Stone Canyon are concerned with the level of crime we experience in our neighborhood and we have spent a large amount of time researching the most effective way to make our neighborhood a safer and more enjoyable place to reside. We are also concerned with the amount of vehicles that use our neighborhood as a bypass around the intersection at Clay/Collins. These vehicles turn onto Bandera Rd and are usually traveling at a high rate of speed through our neighborhood, primarily when there is construction or an accident causing a backup on Collins. Stone Canyon HOA (phase 1-3) is comprised of 119 lots, all of which have custom built homes, other than six undeveloped lots. Phase 4, 5 and 6 is developer-managed and currently has 16 custom built homes with close to 100 lots still for sale. Our residents consist primarily of young families with a small percentage of empty nesters and retirees. Our families have moved to Sunnyvale in order to escape the hustle and bustle of the large city and enjoy the peace and quiet a small town such as Sunnyvale is advertised to provide. On a personal note, after researching and visiting numerous suburbs outside of Dallas proper, my husband and I chose to buy our home in Sunnyvale because we believed it would be the best place to start our family. Sadly, we have been disappointed with the amount of crime we have experienced in our neighborhood. We thought we were escaping this level of crime by moving out of the metropolis that is Dallas. As a current stay-at-home mom, it is quite disconcerting to look out the window of my beautiful home to see a police helicopter hovering over the field directly across the street. We have lived in Sunnyvale and in our home for over five years and thus far have experienced deputies running through our neighborhood's streets/backyards, with K-9 crews canvassing our greenbelts, and the Dallas police helicopter hovering overhead on roughly ten occasions. We have been fortunate that our home has not been broken into, but at this rate, it is only a matter of time. Ironically, we have experienced this "police presence" due to crime in our neighborhood more often in our current upscale neighborhood than we ever experienced while living in a small rental home close to downtown Dallas. All of our neighborhood

break-ins have occurred during the day, while auto theft and other property crimes have primarily occurred at night. I have heard some say “at least Stone Canyon residents are usually not home during the break-ins, so nobody has been hurt,” but what about the countless number of stay-at-home moms and others working from home? When will the time come that we have to face an armed intruder in order to protect our property and most valuable item(s) our child(ren)? I hope never and that is why I have volunteered on the Stone Canyon HOA board to help find a solution to this problem. Due to our location near Hwy-80 and three entryway/exits for a quick getaway, our neighborhood receives the brunt of the home invasions and property crime in our Town. We are attempting to deter the level of burglaries and other crimes that occur in our neighborhood by adding a security system involving both automatic gates and surveillance cameras. We are not attempting to make our neighborhood “private” and in no way will we attempt to stop vehicles from entering our neighborhood. We will maintain the “friendly and open” perception this Town values and therefore our gates will open automatically for any approaching vehicle. While we believe the gates with added video surveillance will deter potential criminals, we are also aware we will never be able to stop all crime from occurring. You will find in this packet the crime statistics for our neighborhood, poll numbers and feedback we have received from our residents, as well as, specifications on our proposed security system. The feedback we have received from our residents has been overwhelmingly positive and we are simply asking our Town to support us as we attempt to make our neighborhood the enjoyable and safe place we were led to believe we were buying into and were expecting when we moved to Sunnyvale!

Sincerely,

Amanda McNeill

Stone Canyon HOA Board President

## **Crime Statistics for Stone Canyon (June 2007 - January 2012)**

### **2007**

Construction theft

Construction theft

Theft of gasoline

**Home Burglary**

### **2008**

Construction theft

Construction theft

Construction theft

Theft of a motor vehicle

Burglary of a motor vehicle

Mail theft

Vacant house theft

Criminal Mischief

Theft of a motor vehicle (later recovered by deputies)

### **2009**

Construction theft

Trailer theft

Burglary of a motor vehicle

Construction theft

**Attempted Burglary of Home**

**Attempted Burglary of Home**

**Burglary of Home (8 deputies worked for 60 hrs and arrests were made)**

**Attempted Burglary of Home**

**Burglary of Home (12 deputies worked for 38 hrs and arrests were made)**

### **2010**

Vacant house theft

Theft

**Attempted Burglary of Home**

**Attempted Burglary of Home**

**Burglary of Home (no arrests made)**

## **2011**

### **Burglary of Home (4 deputies worked for 14hrs and arrests were made)**

Criminal Mischief

Construction Theft

Burglary of Motor Vehicle

Burglary of Motor Vehicle

Burglary of Motor Vehicle

**Most, if not all of the home burglaries have involved get-a-way vehicles. Our plan is to utilize automatic gates at each entrance/exit and a surveillance system to capture license plates. We understand this system is ONLY a visual deterrent and there is no guarantee that our neighborhood will not continue to experience some level of crime. We would like to commend the hard work by our Sheriff, Russell Jacks and deputies! It is because of their strong work ethic and dedication to our safety that numerous criminals have been caught and arrested for the home burglaries in our neighborhood!**

## **Proposed Security System**

### **Installation:**

The HOA board has met with three possible gate companies and we plan to utilize Adam's Fence Company out of Forney (972-564-3858). Adam's Fence Company ([www.AdamsFence.com](http://www.AdamsFence.com)) has been in business for 14 years and their most recent commercial projects include gates and fencing for the Forney Police Department and Oncor in Forney and Terrell. We also appreciate the fact that this company would use Fence Supply Inc., a local Sunnyvale business, to construct the actual gates.

### **Gate System:**

The proposed operating system for the gates is the Ramset Commercial/Industrial 5500. This includes a battery back-up, as well as a foot pedal release mechanism for emergency use. If there is a power outage, the battery back-up will open the gates and they will remain open until power is restored. The gates will open automatically for any vehicle within twenty seconds or less. This means any vehicle that approaches the gate will be able to enter the neighborhood without the need for entering a code or calling a homeowner for access. The gates are on a continuous cycle and will remain open as long as a vehicle has activated the loop detector. This means if more than one vehicle is at the gate, the gate will remain open until the line of vehicles has passed through. This will mitigate any issue of traffic backup. All Stone Canyon residents will have remotes for the gates and these will activate the gates from up to 400 ft away. We are also strongly considering using timers on the gates, in which the gates would remain open for a specific time period in the morning and evenings when most of our residents would be leaving and returning from work. We will also have a maintenance program in place with Adam's Fence Company in which our gates will be serviced every six months. Adam's Fence will also be on-call for emergency gate issues should they arise.

### **Surveillance System:**

Since our neighborhood has no intentions to become "private" and will only have gates in order to deter potential criminals and slow down any vehicles simply using our neighborhood as a cut-through, we will also install a surveillance system in conjunction with the gates. This surveillance system will include high-resolution, wireless cameras at each entrance/exit. The surveillance system's wireless capabilities will allow the entryways/exits to be monitored on any designated computer system at any given time. This data will be helpful for our sheriff's deputies should a break-in or other crime occur.

### **Aesthetics:**

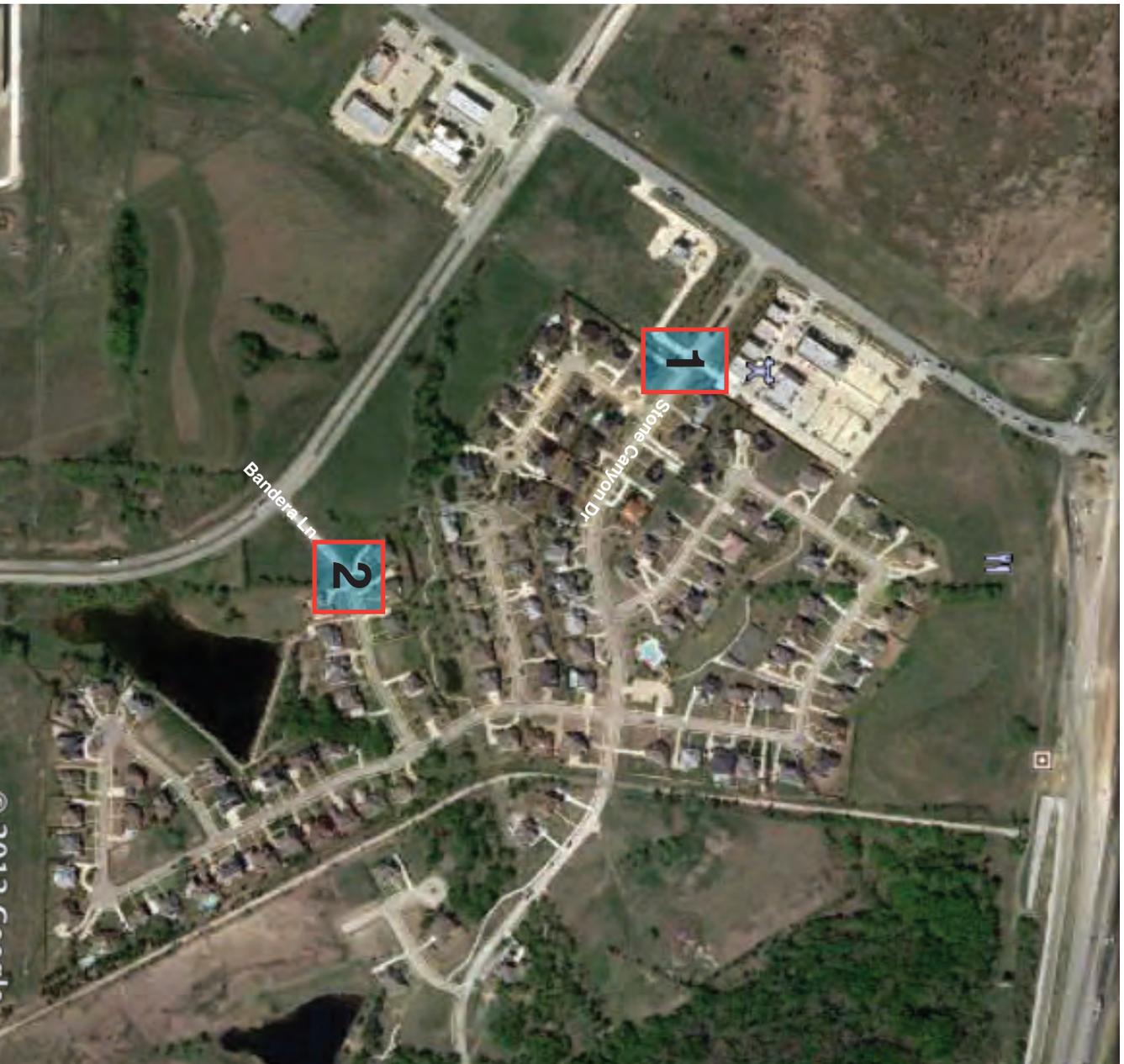
Our primary goal for the neighborhood is to increase our safety and security, but we are also hoping to add, rather than detract, to the appeal of our entryway/exits with the addition of the gates. In order to achieve this, we have met with a landscape architect/engineer, Corrie Spegler, and have specific plans in place to add new hardscape, landscape and lighting at each entryway/exit. There will be a custom, lighted information sign (pull here for entry/exit, etc.) at each gate. This is especially important for our Bandera entryway, as there is currently no lighting due to lack of utilities. When adding electricity for

the gates, this entryway will receive significantly more lighting and add to the safety of entry/exit on this street when dark.

**Cost of Security System and Payment:**

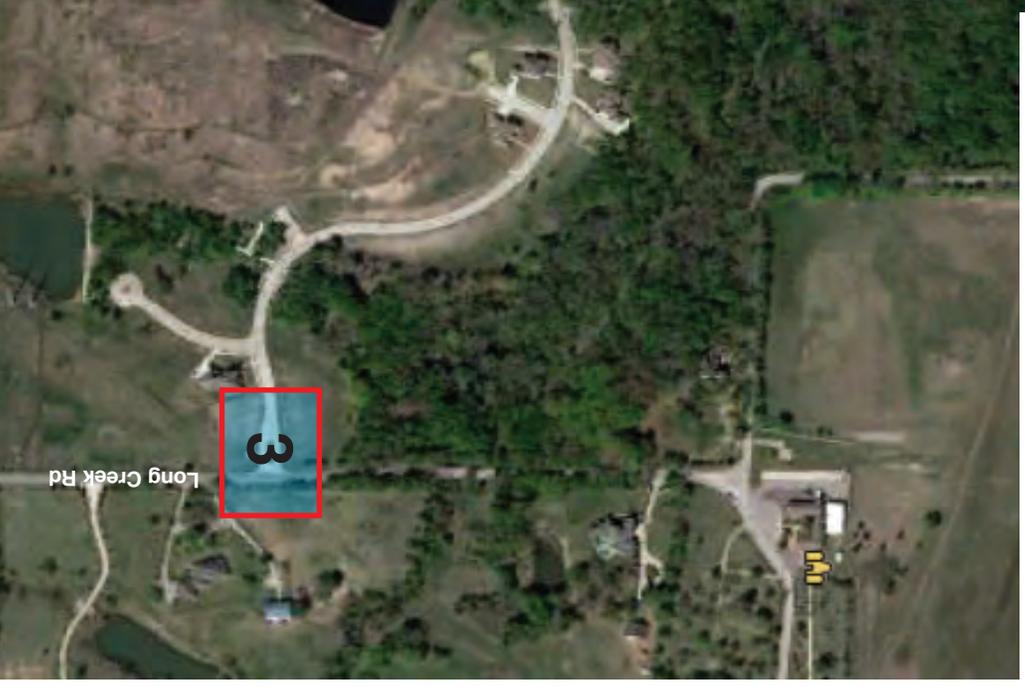
The estimate for the three security gates and surveillance system is roughly \$75,000. This does not include the cost of hardscape (pillars on each side), additional landscaping, lighting and signage. Included in the neighborhood poll, we gave our residents options on how they would like to pay for our security system. At this point, the majority of the returned polls have indicated most residents would prefer to simply see an increase in their quarterly dues by \$50. Our quarterly dues are currently \$198 and we would likely raise the quarterly dues to \$250, in order to simplify the dues amount. This is contingent on our HOA's ability to secure a loan. We have been working with Ruth McLaughlin at Mutual of Omaha and are currently completing the application process for securing a loan in the amount of \$100,000. The terms for this loan include a five year payback with no penalty for early payoff. The monthly loan payment would be covered entirely by the additional \$52 in quarterly dues. If there is any money left over after the gate project is completed, the HOA plans to utilize these funds on needed improvements at our amenity center. If the HOA is unable to secure a loan, then we will implement a one-time special assessment (a payment option is likely) in an amount close to \$750.

# Stone Canyon Proposed Gate Map



## Proposed Gate Location Key Map

- 1 - Stone Canyon Dr Gate (Main)
- 2 - Bandera Ln Gate (Side)
- 3 - Long Creek Rd Gate (Rear)



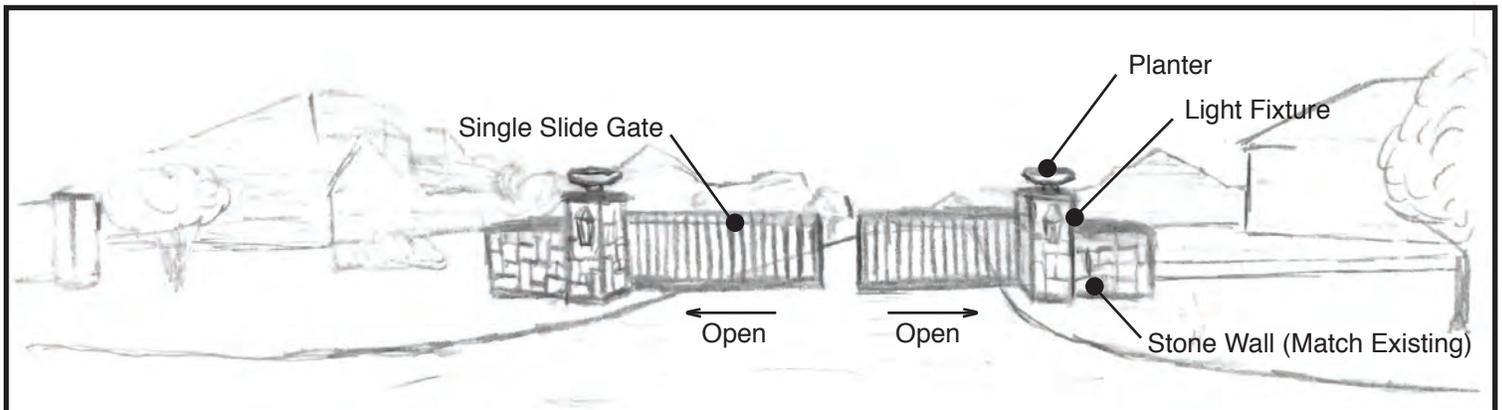
# Proposed Gate Design - Stone Canyon Dr (Location 1)



Current Main Gate Area (Aerial View)



Current Main Gate Area (Street View)



Proposed Main Gate Design (Rough Sketch)

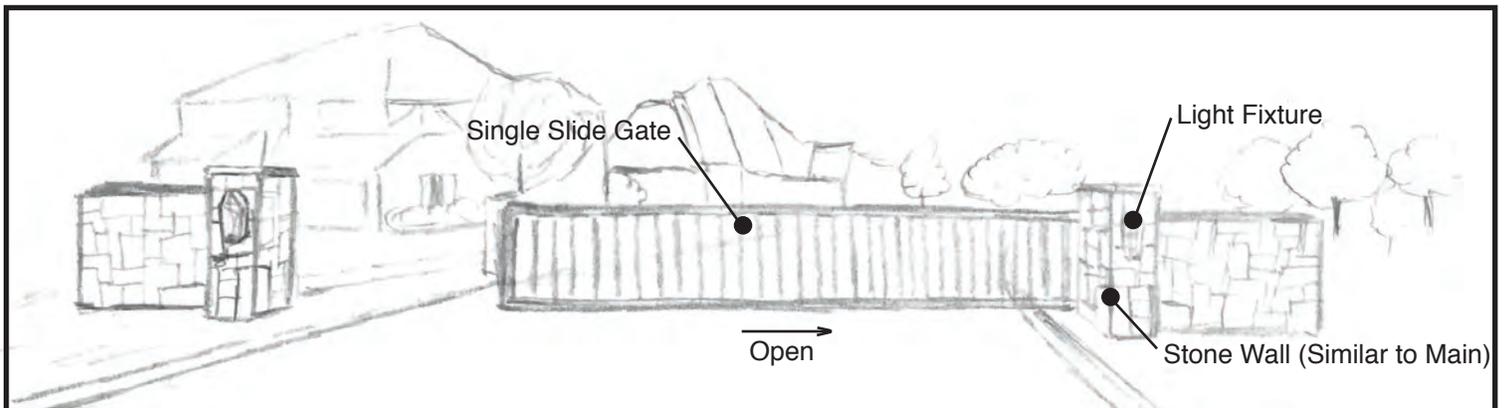
## Proposed Gate Design - Bandera Ln (Location 2)



Current Side Gate Area (Aerial View)



Current Side Gate Area (Street View)



Proposed Side Gate Design (Rough Sketch)

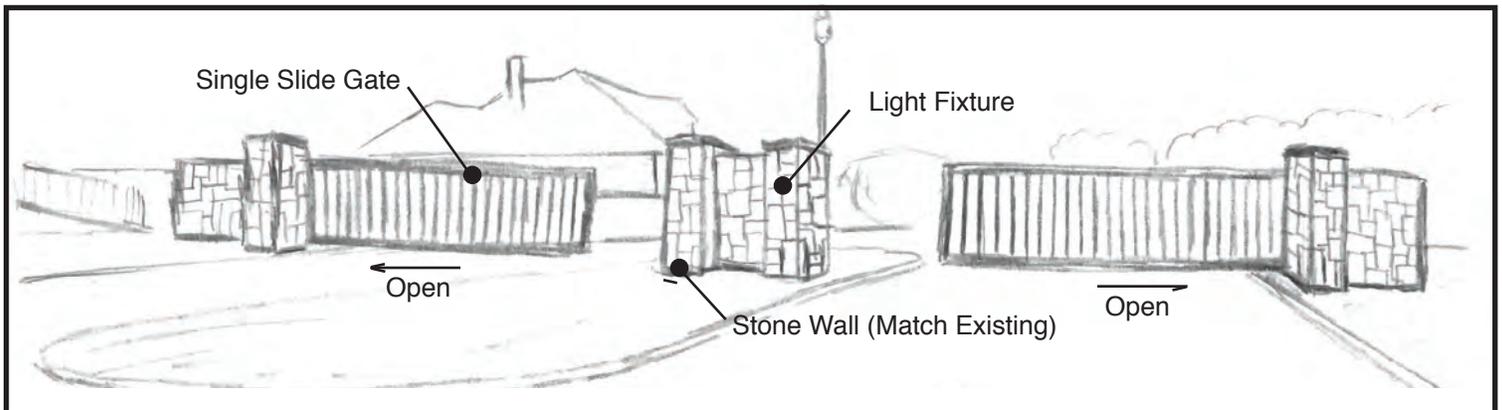
# Proposed Gate Design - Long Creek Rd (Location 3)



Current Rear Gate Area (Aerial View)



Current Rear Gate Area (Street View)



Proposed Rear Gate Design (Rough Sketch)

**Stone Canyon HOA  
Adams Fence Estimate**

# ADAMS FENCE CO.

P.O. Box 2012  
Forney, Texas 75126  
(972) 564-3858

March 8, 2012

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Stone Canyon  
aemcneill@hotmail.com

## Estimate for Automatic Gates

- (1) 32' double-drive bell top slide gate with rings and S/C in center.
- (1) 28' double-drive bell top slide gate with rings and S/C in center.
- (2) 16' single bell top slide gates with rings and S/C in center and 24' of wrought iron between single slide gates.
- (6) Ramset 5500 slide gate operators.
- (3) Ramset RPI remote power invertors with Optima blue top batteries.
- (260) multi-code one button transmitters.
- (12) saw cut loops 4' x 12"
- (6) Ramset plug-in detectors for saw cut loops.
- (6) AAS post mount padlock style fire department boxes.

**TOTAL:**

**\$59,750.00**

This Contract and Security Agreement (the "AGREEMENT") is made between the undersigned OWNERS (whether one or more), and Adams Fence Co. (hereinafter "CONTRACTOR").

This AGREEMENT includes TERMS and CONDITIONS stated on the attached sheet. OWNERS acknowledge by their signature that they agree to be bound by the terms of the AGREEMENT and have been furnished a duplicate copy.

Proposed By: \_\_\_\_\_

Accepted By (Owner): \_\_\_\_\_

### **Stone Canyon HOA Proposed Gate Poll**

The Stone Canyon HOA (phase 1-3) sent out a poll to our residents in March 2012. As of April 20, 2012 70 polls have been returned with **62 in favor** and only **8 not in favor** of the proposed gates and security system.

Per the Stone Canyon HOA Master Declaration (Third Amendment), the needed percentage to pass any agenda is 2/3 majority vote by our members. If we have the same turnout on the actual vote as we had on the straw poll, realistically, there is no reason why the dues increase required to fund the gates and security system would not be approved by our residents.

A copy of the poll letter and copies of a few of the polls returned have been included. We have also included copies of letters the HOA has received regarding the safety of the neighborhood.

**Stone Canyon HOA  
Poll Examples & Homeowner Letters**

STONE CANYON HOA  
HOMEOWNER POLL—SPRING 2012

Dear fellow homeowners,

As you know, the upkeep and maintenance of our neighborhood greenbelts and amenities are the board's top priority. A number of initiatives have been raised, but like all things these improvements would require funding. Based on our current quarterly dues, we have funds for general maintenance and upkeep with a small cushion for unbudgeted needs and repairs that arise from time to time. We would like your opinion regarding pursuing and funding the following items for which we would need funding outside of the current budget level: (1) gates and cameras at each entrance to the neighborhood to deter cut-through traffic and provide a deterrent against crime; (2) restoration of the neighborhood fountains to professional grade equipment; and (3) improvements to the pool center and playground and/or other greenbelt areas. All of these improvements are intended to increase the quality of our neighborhood for residents and hopefully the value of our properties. We would appreciate it greatly if you could provide us with input on the following issues:

1. Are you in favor of making these types of improvements to the neighborhood?

Yes  No  Yes to some, no to others (please explain)

2. Would you be willing to pay a one-time special assessment of \$500 to \$750 dollars to fund these improvements?

Yes  No  If not, what would you be willing to pay? \_\_\_\_\_

3. Alternatively, would you be willing to pay a \$500 to \$750 special assessment if there was a payment plan option?

Yes  No

4. Alternatively, would you be willing to pay an additional \$50 per quarter in dues to be used to repay an HOA loan taken out to fund these improvements, so that they can be implemented very quickly but with less strain on homeowners' budgets?

Yes  No

5. Do you have any additional input you would like to provide?

*We had another break-in on Easter morning. Someone broke TRUCK window + stole stereo system.*

*2 years ago they stole a truck from driveway that was*  
Homeowner name: *Sherri GARZA* Address: *464 San Gabriel*

Thank you for your input! Please return this poll with your dues payment.

*never recovered. Two months ago our next door neighbor's vehicle was broken into & Entertainment system stolen. We ARE definitely in favor of gates!*

**STONE CANYON HOA  
HOMEOWNER POLL—SPRING 2012**

Dear fellow homeowners,

As you know, the upkeep and maintenance of our neighborhood greenbelts and amenities are the board's top priority. A number of initiatives have been raised, but like all things these improvements would require funding. Based on our current quarterly dues, we have funds for general maintenance and upkeep with a small cushion for unbudgeted needs and repairs that arise from time to time. We would like your opinion regarding pursuing and funding the following items for which we would need funding outside of the current budget level: (1) gates and cameras at each entrance to the neighborhood to deter cut-through traffic and provide a deterrent against crime; (2) restoration of the neighborhood fountains to professional grade equipment; and (3) improvements to the pool center and playground and/or other greenbelt areas. All of these improvements are intended to increase the quality of our neighborhood for residents and hopefully the value of our properties. We would appreciate it greatly if you could provide us with input on the following issues:

1. Are you in favor of making these types of improvements to the neighborhood?

Yes  No  Yes to some, no to others (please explain)

2. Would you be willing to pay a one-time special assessment of \$500 to \$750 dollars to fund these improvements?

Yes  No  If not, what would you be willing to pay? \_\_\_\_\_

3. Alternatively, would you be willing to pay a \$500 to \$750 special assessment if there was a payment plan option (two or three equal payments)?

Yes  No

4. Alternatively, would you be willing to pay an additional \$50 per quarter in dues to be used to repay an HOA loan taken out to fund these improvements, so that they can be implemented very quickly but with less strain on homeowners' budgets?

Yes  No

5. Do you have any additional input you would like to provide?

Highest priority for our family is neighborhood  
Security - (Gates + cameras)

Homeowner name: Scott + Leah Powell Address: 450 San Gabriel Way

Thank you for your input! Please return this poll with your dues payment.

January 11, 2012

Re: 352 Stone Canyon HOA

Ryan and I are not able to attend the HOA meeting this evening, so we would like to voice our opinion on the proposal of gating our community. We believe that it would be in the best interest of our community to have all 3 entries gated. We have become very concerned as the crimes in our neighborhood are on the rise. We also feel it will cut down the amount of people who are simply just driving through our neighborhoods. Many of us have small children and there is always a concern when there are constant cars driving by our houses knowing that they are not visiting anyone in the neighborhood.

The crime is most disturbing to us. We had our SUV broken into back in October and the navigation system was stolen. The replacement cost was \$1000. Not only was the expense quite large, but more that we have trespassers with no regard coming right up to our house and breaking into our car, which was parked in the driveway.

We also had another incident in December where I was notified by the alarm company that a window in the back of our house had been activated. Ryan was travelling so I knew it was an intruder. The alarm must have scared them away. This was of even more concern to us because I am alone many nights as Ryan travels for his job. I was sure that the intruder had scoped out our house and realized that no one was home as Ryan normally parks his car in the driveway.

A gated community would at least keep more trespassers at bay knowing that a security camera could capture them on film as they are entering the community. It would also decrease a lot of drivers just passing through. We understand that there will be more HOA costs associated with a gated community, but feel it's necessary. We want to keep Stone Canyon safe for our families.

Kindest Regards,

Dawn & Ryan Mears

To Whom It May Concern,

April 27, 2012

Our family has been residents of Stone Canyon for almost two years, and we are pleased with our neighborhood, but eager to make improvements to help it be safer and nicer. We are 110% in support of putting gates at all three entrances along with surveillance cameras to help in this endeavor. In doing so, we hope that the gates will deter people from cutting through our neighborhood, deter those with criminal intent, and deter trespassers from using our ponds and solicitors from coming to our homes. We also want to attract homebuyers that desire to take excellent care of their properties and families and are willing to invest what's necessary to do so.

We live on San Gabriel and have a U shaped driveway, so when our kids or neighbor friends are playing in our driveway, we are concerned about cars speeding by and having our kids possibly ride their bike into the rode without having time to correct their direction. Most of the speeders are not residents of Stone Canyon, but those zipping through our streets to the main street. The safety precaution of gates would stop that problem as it would take "cutters" longer to come through our neighborhood than just to stay one the main roads.

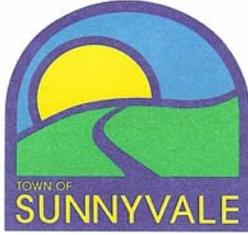
The next reason is personally our main reason for desiring gates and that is to deter crime. As a Homemaker with three children, I want to be able to be in our home throughout the day without the worry of someone driving through with the intent to break in. Our next door neighbor had a break in through his back door, so I am concerned the same could happen to us and we'd be home and in danger. We feel that gates with cameras would deter much of this activity since entering and exiting the neighborhood would take time and they would be on camera.

The last two reasons mentioned are also safety issues in our eyes as we've called the police twice regarding trespassers fishing at the pond on San Gabriel and they authorities have come and told the guys to move on elsewhere. We don't know these individuals, and pulling up in a truck to fish could be a great "cover up" for a break in. Plus, my oldest son is old enough to play in the front yard without me constantly present, but there is the potential of a kidnapper grabbing and going. The solicitors also could be a safety issue as we don't know the intent of those knocking on the front door, or approaching us when in the yard playing.

Although gates will not eliminate all safety issues, and we are still responsible to take care of our home and family, the gates would aid us in this endeavor. We hope to make Stone Canyon our permanent home for years to come, and much of our decision is determined by the safety and upkeep of the neighborhood. We want Stone Canyon to be a neighborhood where people with likeminded values of safety & responsibility will desire to live as well.

Thank you,

David & Angela Henderson



To: Town Council  
From: Scott Campbell, Town Manager  
Date: May 10, 2012  
Re: Agenda Item 6

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Attached please find an ordinance regarding Tax Increment Reinvestment Zone # 1 (TIRZ #1). Also attached are new scenarios for the Town's participation as requested during the last discussion on this subject (deleting any County participation). This ordinance adopts participation rates for incremental sales tax and property tax to be contributed to the TIRZ fund, and includes language to appoint a board of directors. 4A attorney Jeff Moore will attend Monday night to answer questions on the ordinance and/or process.

**TOWN OF SUNNYVALE, TEXAS**

**ORDINANCE NO. 12-07**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING SECTION 6 OF ORDINANCE NO. 549, CONCERNING THE REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, BY ESTABLISHING THE PERCENTAGE OF INCREMENTAL SALES TAX AND PROPERTY TAX INCREMENT INCLUDED WITHIN THE TAX INCREMENT FUND FOR THE REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS; AMENDING EXHIBIT B OF ORDINANCE NO. 549, CONCERNING THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS, BY APPOINTING THE BOARD OF DIRECTORS TO REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on **December 22, 2011**, the Town Council of the Town of Sunnyvale, Texas, pursuant to Chapter 311 of the Texas Tax Code, as amended, approved Ordinance No. 549, designating a contiguous geographic area within the Town as a Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, Section 311.0123(b) of the Texas Tax Code provides that the Town Council for the Town of Sunnyvale, Texas, “may determine, in an ordinance designating an area as a reinvestment zone or in an ordinance adopted subsequent to the designation of a zone, the portion or amount of tax increment generated from municipal sales and use taxes attributable to the zone, above the sales tax base, to be deposited into the tax increment fund;” and

**WHEREAS**, on **March 1, 2012**, the Board of Directors of the Sunnyvale 4A Development Corporation, a Type A economic development corporation, approved a resolution, a copy of which is attached hereto as **Exhibit A**, authorizing the dedication of seventy-five percent (75%) of the Type A’s one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One to be deposited into the tax increment fund; and

**WHEREAS**, on **March 6, 2012**, the Board of Directors of the Sunnyvale 4B Development Corporation, a Type B economic development corporation approved a resolution, a copy of which is attached hereto as **Exhibit B**, authorizing the dedication of twenty-five percent (25%) of the Type B’s one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One to be deposited into the tax increment fund; and

**WHEREAS**, the Town Council of the Town of Sunnyvale, Texas, desires to amend the previously approved the tax increment financing plan and project plan for Reinvestment Zone Number One, Town of Sunnyvale, Texas, to provide that the Tax Increment Fund for Reinvestment Zone Number One, Town of Sunnyvale, Texas, shall receive the following percentages of municipal

sales and use taxes attributable to the zone: fifty percent (50%) of the Town's one percent (1.0%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas; seventy-five percent (75%) of the Type A's one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas; and twenty-five percent (25%) of the Type B's one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, the Town Council of the Town of Sunnyvale, Texas, desires to amend Exhibit B of Ordinance No. 549, approved by the Town Council of the Town of Sunnyvale, Texas, by appointing the five (5) members to the Board of Directors of the Reinvestment Zone Number One, Town of Sunnyvale, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS:**

**Section 1. Findings.** That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

**Section 2. Amendment to Ordinance No. 549.** That Section 6 of Ordinance No. 549, approved by the Town Council of the Town of Sunnyvale, Texas, on December 22, 2011, is hereby amended to read as follows:

**SECTION 6. TAX INCREMENT FUND.**

There is hereby created and established a **TAX INCREMENT FUND** for the Zone. Within the **TAX INCREMENT FUND**, there may be maintained subaccounts as necessary and convenient to carry out the purposes of the Act, including a "Tax Increment Subaccount," "Town Sales Tax Increment Subaccount," a "Tax Increment Bond Proceeds Subaccount," a "Sales Tax Increment Bond Proceeds Subaccount," and a "Property Sale Subaccount." The **TAX INCREMENT**, which is fifty percent (50%) of property taxes levied and collected by the Town, and located in the TIRZ for that year on the Captured Appraised Value of real property taxable by the Town, as that term is defined in Section 311.012(b) of the Act, and the **TOWN SALES TAX INCREMENT** shall be deposited into the Town Sales Tax Increment Subaccount of the **TAX INCREMENT FUND**, as of the effective date of the Zone. The **TAX INCREMENT FUND** and all subaccounts shall be maintained at the depository bank of the Town and shall be secured in the manner prescribed by law for funds of Texas cities. Prior to termination of the Zone, funds shall be disbursed from the **TAX INCREMENT FUND** only to pay **TIF PROJECT COSTS, TIF OBLIGATIONS**, to make payments pursuant to an agreement made under Section 311.010(b) of the Act dedicating revenue from the **TAX INCREMENT FUND**, or to repay other obligations incurred by the Zone. The Town shall also deposit or cause to be deposited into said Town Sales Tax Increment Subaccount of the **TAX INCREMENT FUND** all incremental sales taxes as defined by Section 311.0123(b)

of the Act, as follows:

- (a) fifty percent (50%) of the Town's one percent (1.0%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas;
- (b) seventy-five percent (75%) of the Type A's one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas; and
- (c) twenty-five percent (25%) of the Type B's one-half of one percent (0.50%) sales and use tax attributable to sales occurring within Reinvestment Zone Number One, Town of Sunnyvale, Texas."

**Section 3. Amendment to Ordinance No. 549.** That Exhibit B of Ordinance No. 549, entitled "Board of Directors," approved by the Town Council of the Town of Sunnyvale, Texas, on December 22, 2011, is hereby amended to read as follows:

"That the following persons are hereby appointed to the Reinvestment Zone Number One, Town of Sunnyvale, Board of Directors:

- (1) Position 1 – Chairperson \_\_\_\_\_ (expires December 31, 2013);
- (2) Position 2 - \_\_\_\_\_ (expires December 31, 2013);
- (3) Position 3 - \_\_\_\_\_ (expires December 31, 2013);
- (4) Position 4 - \_\_\_\_\_ (expires December 31, 2014); and
- (5) Position 5 - \_\_\_\_\_ (expires December 31, 2014)."

**Section 4. Miscellaneous Provisions.** The following miscellaneous provisions are a part of this Ordinance:

- (a) In the event of an inconsistency between this Ordinance and the terms of Ordinance Number 549, this Ordinance shall govern.
- (b) Ordinance Number 549 shall continue in full force and effect except as amended herein.
- (c) It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would

have been enacted by the Town Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

- (d) This Ordinance shall become effective immediately upon its passage.

**[The Remainder of this Page Intentionally Left Blank]**

**PASSED AND APPROVED** by the Town Council of the Town of Sunnyvale, Texas this the 14<sup>th</sup> day of May, 2012.

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Jim Phaup, Mayor

**ATTEST:**

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Leslie Malone, Town Secretary

***Exhibit A***

Resolution No. 2012-01  
Approved by the  
Sunnyvale 4A Development Corporation

**RESOLUTION NO. 2012 -01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNNYVALE 4A DEVELOPMENT CORPORATION, A TYPE A ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE DEDICATION OF 75 PERCENT (75%) OF THE TYPE A SALES AND USE TAX REVENUE GENERATED WITHIN TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS TO THE TAX INCREMENT FUND FOR SAID TAX INCREMENT REINVESTMENT ZONE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, on December 22, 2011, the Town Council for the Town of Sunnyvale, Texas, approved Ordinance No. 549 establishing Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, Section 6 of Ordinance No. 549 authorized the creation of the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, Section 311.0123(b) of the Texas Tax Code authorizes municipal sales and use taxes attributable to the zone, above the sales tax base, to be deposited into the tax increment fund; and

**WHEREAS**, the Sunnyvale 4A Development Corporation is an economic development corporation operating pursuant to Chapter 504 of the Texas Local Government Code, as amended, and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

**WHEREAS**, the Board of Directors of the Sunnyvale 4A Development Corporation find and determine that it is in the best interest of the Town of Sunnyvale, Texas, to authorize the dedication of 75 percent (75%) of the Type A sales and use tax revenue generated within Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, into the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SUNNYVALE 4A DEVELOPMENT CORPORATION, AS FOLLOWS:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the Sunnyvale 4A Development Corporation, and are fully incorporated into the body of this Resolution.

**Section 2.** That the Board of Directors of the Sunnyvale 4A Development Corporation does hereby authorize the dedication of 75 percent (75%) of the Type A sales and use tax revenue generated within Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, to the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, to be used consistent with Chapter 311 of the

Texas Tax Code, as amended, and Chapters 501 and 504 of the Texas Local Government Code, as amended.

**Section 3.** That the Board of Directors of the Sunnyvale 4A Development Corporation authorize the President of the Sunnyvale 4A Development Corporation to execute this Resolution.

**Section 4.** That this Resolution shall become effective from and after its passage.

**DULY RESOLVED** by the Board of Directors of the Sunnyvale 4A Development Corporation, of the Town of Sunnyvale, Texas, on this the 1<sup>st</sup> day of March, 2012.



Terri Shatter, President  
Sunnyvale 4A Development Corporation

**ATTEST:**



Hari Pillai, Secretary

***Exhibit B***

Resolution No. 2012  
Approved by the  
Sunnyvale 4B Development Corporation

**RESOLUTION NO. 2012 -**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNNYVALE 4B DEVELOPMENT CORPORATION, A TYPE B ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE DEDICATION OF 25 PERCENT (25 %) OF THE TYPE B SALES AND USE TAX REVENUE GENERATED WITHIN TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, TOWN OF SUNNYVALE, TEXAS TO THE TAX INCREMENT FUND FOR SAID TAX INCREMENT REINVESTMENT ZONE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, on December 22, 2011, the Town Council for the Town of Sunnyvale, Texas, approved Ordinance No. 549 establishing Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, Section 6 of Ordinance No. 549 authorized the creation of the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas; and

**WHEREAS**, Section 311.0123(b) of the Texas Tax Code authorizes municipal sales and use taxes attributable to the zone, above the sales tax base, to be deposited into the tax increment fund; and

**WHEREAS**, the Sunnyvale 4B Development Corporation is an economic development corporation operating pursuant to Chapter 505 of the Texas Local Government Code, as amended, and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

**WHEREAS**, the Board of Directors of the Sunnyvale 4B Development Corporation find and determine that it is in the best interest of the Town of Sunnyvale, Texas, to authorize the dedication of 25 percent (25 %) of the Type B sales and use tax revenue generated within Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, to the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SUNNYVALE 4B DEVELOPMENT CORPORATION, AS FOLLOWS:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the Sunnyvale 4B Development Corporation, and are fully incorporated into the body of this Resolution.

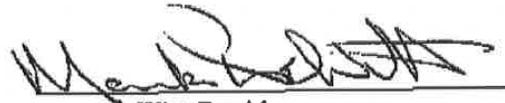
**Section 2.** That the Board of Directors of the Sunnyvale 4B Development Corporation does hereby authorize the dedication of 25 percent (25 %) of the Type B sales and use tax revenue generated within Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, to the Tax Increment Fund for Tax Increment Reinvestment Zone Number One, Town of Sunnyvale, Texas, to be used consistent with Chapter 311 of the

Texas Tax Code, as amended, and Chapters 501 and 505 of the Texas Local Government Code, as amended.

**Section 3.** That the Board of Directors of the Sunnyvale 4B Development Corporation authorize the President of the Sunnyvale 4B Development Corporation to execute this Resolution.

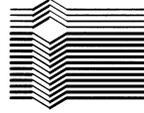
**Section 4.** That this Resolution shall become effective from and after its passage.

**DULY RESOLVED** by the Board of Directors of the Sunnyvale 4B Development Corporation, of the Town of Sunnyvale, Texas, on this the 6<sup>th</sup> day of March 2012.

  
Mark DeWitt, President  
Sunnyvale 4B Development Corporation

**ATTEST:**

\_\_\_\_\_  
Debi Lockhart, Secretary



INSIGHT RESEARCH  
CORPORATION

## Council Memorandum

**Date:** April 30, 2012

**To:** Members of the Town of Sunnyvale's Town Council  
and Town Manager Scott Campbell

**From :** Elizabeth Morris, CEO /Chief Economist  
Insight Research Corporation

**Subject:** Three Cash Flow Scenarios Based on Varying Town  
Participation, Sunnyvale TIRZ #1

Attached for the Council's review, please find the updated three scenarios numbered as 1, 2 and 3 which illustrate TIRZ participation options for the Town of 50%, 60% and 70% from the new ad valorem and sales tax values to be created from taxable improvements in Sunnyvale TIRZ #1, including the following:

1. **Scenario Comparison:** An Excel Spreadsheet summarizing the three scenarios,
2. **Cash Flow Comparison:** A Cash Flow graphic comparing the cash flow expectations of these three scenario examinations.
3. **Detailed Scenario Background** for each of these scenarios, including a public project list, a break even spreadsheet, a debt payment schedule, a P&I Summary, and a spreadsheet showing financial outcomes after P&I payments.

**Methodology:** To recap the forecast methodology, please find Insight's summary of the following:

- Development is assumed through 15 years, and TIRZ Revenue forecast carried through 40 years.
- All assumptions are expected be modified by the TIRZ Board once the TIRZ is constituted.
- A "Constant Dollar" analysis used for these revenue forecasts, required for investment-grade documents, assumes constant 2011 tax rate and taxable property values, excluding any increases in the forecast based on cost of living or inflation factors. All increases include the assumed business case for development and expansions only. The Town's financial advisor will add inflation factors at a later time, which like the interest rate, may be adjusted for each bond issue and fund release.
- Rollback taxes are not included in these calculations. If applicable, are due to be paid when property comes out of agricultural exemption status and is readied for development. When properties move from agriculturally exempt status to a different land use, five years of back taxes on the new land value are due.
- These forecasts result in conservative revenue expectations from assumed development. Changes in any of the assumptions will result in changes to the outcomes.

I am available at your convenience for your comments or questions at 972-238-8838. Our continuing thanks for the opportunity to be of service to the Sunnyvale 4A Board, the 4B Board and the Town of Sunnyvale.



M. Elizabeth Morris  
CEO / Chief Economist

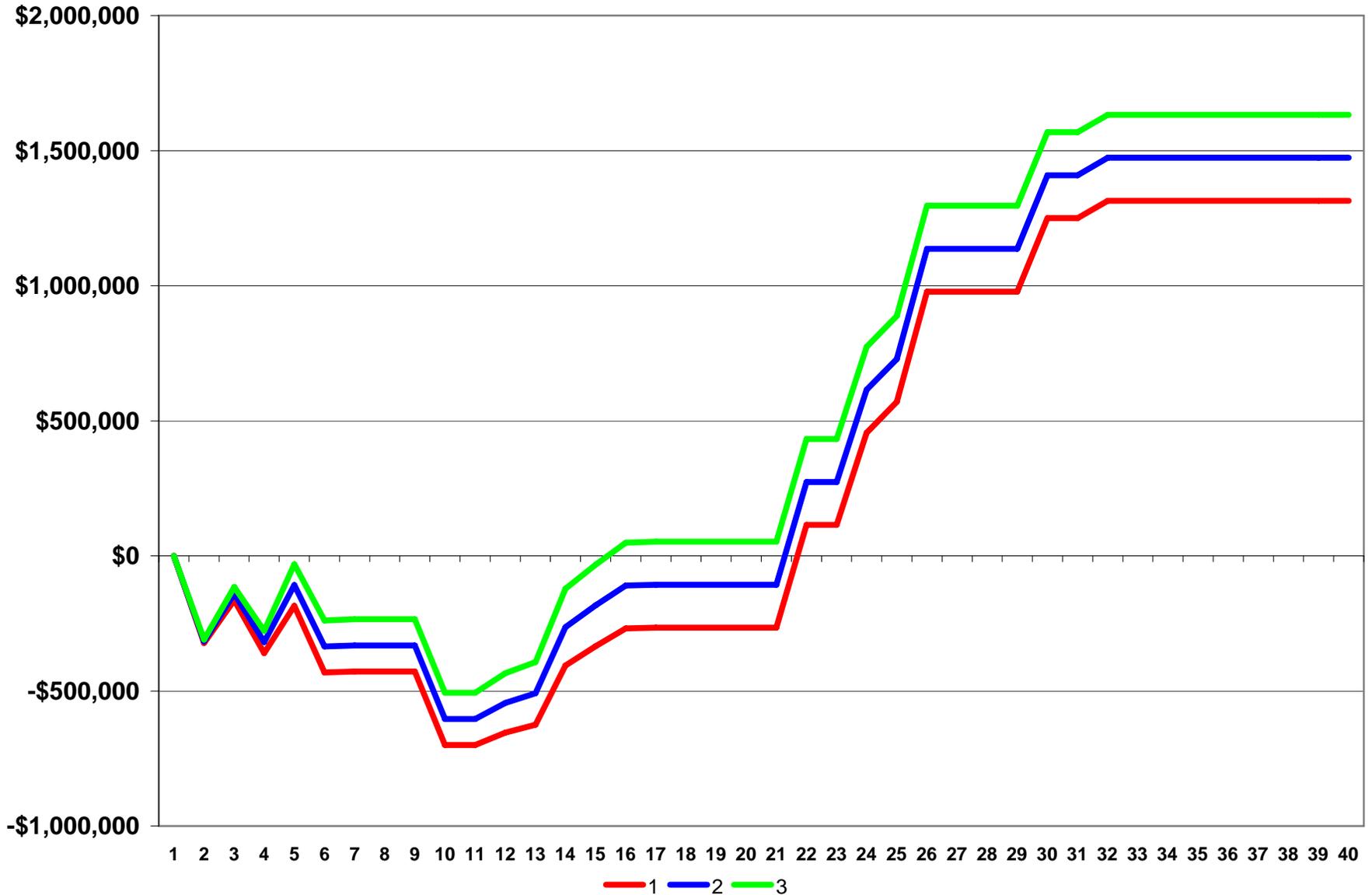
Attachments (3)

## SUNNYVALE TIRZ #1 PARTICIPATION SCENARIOS

30-Apr-12

	Scenarios		
	1	2	3
<b>Variable Assumptions</b>			
<b>Public Investment (Principal in Millions)</b>	<b>\$20.820</b>	<b>\$20.820</b>	<b>\$20.820</b>
County Ad Valorem Participation	0%	0%	0%
City Ad Valorem Participation	50%	60%	70%
City Sales Tax Participation	50%	60%	70%
4A Sales Tax Participation	75%	75%	75%
4B Sales Tax Participation	25%	25%	25%
<b>TIRZ Bond Break Even Year</b>			
	<b>32</b>	<b>29</b>	<b>26</b>
<b>40 Year Findings</b>			
<b>Direct New TIRZ Tax Impact (Millions) to All Jurisdictions</b>	<b>\$463.07</b>	<b>\$463.07</b>	<b>\$463.07</b>
<b>Total TIRZ Participation</b>	<b>\$43.34</b>	<b>\$48.56</b>	<b>\$53.79</b>
<b>% of TIRZ Taxes to Total Taxes All Jurisdictions</b>	<b>9.4%</b>	<b>10.5%</b>	<b>11.6%</b>

**Sunnyvale TIRZ #1**  
**Net Cash Flow: New Ad Valorem (Property) Tax Increment**  
**Land and Building Values and Applicable Sales Taxes**  
**Scenarios 1 through 3, April 30, 2012**



**Sunnyvale TIRZ #1 Preliminary Financing Plan  
Scenario 1**

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 1**  
**Phasing of Public Infrastructure Investments**  
**WORKING DRAFT, in Constant 2011 Dollars (4-30-12)**

<i>Public Development Projects</i>	<i>Owner/Entity</i>	<i>Construction Est.</i>	<i>Project Includes</i>	<i>Goal Start Year</i>
<b>2012</b>				
Pad @ S. Collins & Clay	Hardy Fields	\$10,000	Access Rd from S. Collins across Clay Property	2012
Collins Corner further development	Fry St. LP Rob Parades	\$2,000,000	Ring Rd, Sanitary & Storm Sewer, Water	2012
Sunnyvale Centre	FC Properties	\$3,000,000	Ring Road, All utilities, Natural Gas	2012
<b>Subtotal TIRZ Funding #1 Released in 2012</b>			<b>\$5,010,000</b>	
<b>2014</b>				
S. Collins Road, Funding Phase 1	TXDOT/County/City	\$3,000,000	Widening/Turning Lanes/Sidewalks	2014
N. Collins Road, Funding Phase 1	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2014
<b>Subtotal TIRZ Funding #1 Released in 2014</b>			<b>\$4,500,000</b>	
<b>2015</b>				
Nat. Gas on N and S Side of Highway 80		\$500,000	Gas Line Extension	2015
Sewer Extensions N & S Frontage Rds of Hwy 80		\$500,000		2015
Motley Property at West Town Limits / Hwy 80		\$500,000	Gas Extensions, Water, Sewer, Storm	2015
<b>Subtotal TIRZ Funding #2 Released in 2015</b>			<b>\$1,500,000</b>	
<b>2016</b>				
N. Collins Road, Funding Phase 2	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2016
T.C. Lupton	Sunnyvale	\$3,000,000	Reconstruction/Turning Lanes/Sidewalks	2016
E. Riverstone Dr.	Sunnyvale	\$500,000		2016
300 S. Collins Commercial Property	David Goodhart/ Paul Cash	\$375,000	Streets, Utilities, Gas, Electric, St. Lighting	2016
<b>Subtotal TIRZ Funding #3 Released in 2016</b>			<b>\$5,375,000</b>	
<b>2020</b>				
FC Properties		\$1,800,000	Storm Drainage, \$1.8m	2020
FC Properties		\$175,000	Sanitary Sewer Line Z \$50,000, Line X 125,000	2020
FC Properties		\$610,000	Water Improvements \$610,000	2020
Entrance Park at SW corner of Collins/ 80	TXDOT	\$500,000	Park landscaping	2020
Entrance Park at SE corner of Collins/80	TXDOT	\$500,000	Park landscaping	2020
<b>Subtotal TIRZ Funding #5 Released in 2020</b>			<b>\$3,585,000</b>	
<b>2022</b>				
N. Collins Road Sewer Line		\$100,000	8" sewer line	2022
Daniel and Henard Sewer Line	Daniel & Henard	\$250,000	Line C-2 \$250,000 from under Hwy 80	2022
Bicycle/Walking Path north of Hwy 80 on old RR	Luminant/Sunnyvale	\$500,000	12' Bicycle & Pedestrian Trail to Tripp Rd & Hwy80	2022
<b>Balance of Infrastructure Funding #6 in 2022</b>			<b>\$850,000</b>	
<b>Subtotal Prioritized Public Improvements</b>		<b>Total</b>		
		<b>\$20,820,000</b>		
<b>Current Total of Public Investment Options</b>		<b>\$20,820,000</b>		

## Sunnyvale TIRZ Preliminary Financing Plan Scenario 1

Loan Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	TOTAL
Amount	\$5,010,000	\$0	\$4,500,000	\$1,500,000	\$5,375,000	\$0	\$0	\$0	\$3,585,000	\$0	\$850,000	\$0	\$0	\$0	\$0	\$20,820,000
2012																\$0
2013	\$380,349															\$380,349
2014	\$380,349	\$0														\$380,349
2015	\$380,349	\$0	\$341,631													\$721,979
2016	\$380,349	\$0	\$341,631	\$113,877												\$835,856
2017	\$380,349	\$0	\$341,631	\$113,877	\$408,059											\$1,243,915
2018	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0										\$1,243,915
2019	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0									\$1,243,915
2020	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0								\$1,243,915
2021	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166							\$1,516,081
2022	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0						\$1,516,081
2023	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530					\$1,580,611
2024	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0				\$1,580,611
2025	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0			\$1,580,611
2026	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0		\$1,580,611
2027	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2028	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2029	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2030	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2031	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2032	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2033		\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2034			\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2035				\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$858,632
2036					\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$744,755
2037						\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2038							\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2039								\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2040									\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2041										\$0	\$64,530	\$0	\$0	\$0	\$0	\$64,530
2042											\$64,530	\$0	\$0	\$0	\$0	\$64,530
2043												\$0	\$0	\$0	\$0	\$0
2044													\$0	\$0	\$0	\$0
2045														\$0	\$0	\$0
2046															\$0	\$0
	\$7,606,976	\$0	\$6,832,613	\$2,277,538	\$8,161,177	\$0	\$0	\$0	\$5,443,315	\$0	\$1,290,605	\$0	\$0	\$0	\$0	\$31,612,224

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 1**  
**Summary of Principal and Interest on Each Loan Amount**

	<b>Total P &amp; I</b>	<b>Interest</b>	<b>Principal</b>
<b>2012</b>	\$ 7,606,976	\$ 2,596,976	\$ 5,010,000
<b>2013</b>	\$ -	\$ -	\$ -
<b>2014</b>	\$ 6,832,613	\$ 2,332,613	\$ 4,500,000
<b>2015</b>	\$ 2,277,538	\$ 777,538	\$ 1,500,000
<b>2016</b>	\$ 8,161,177	\$ 2,786,177	\$ 5,375,000
<b>2017</b>	\$ -	\$ -	\$ -
<b>2018</b>	\$ -	\$ -	\$ -
<b>2019</b>	\$ -	\$ -	\$ -
<b>2020</b>	\$ 5,443,315	\$ 1,858,315	\$ 3,585,000
<b>2021</b>	\$ -	\$ -	\$ -
<b>2022</b>	\$ 1,290,605	\$ 440,605	\$ 850,000
<b>Totals</b>	<b>\$ 31,612,224</b>	<b>\$ 10,792,224</b>	<b>\$ 20,820,000</b>
		34%	66%

**BREAK EVEN YEAR - SCENARIO 1 (4-30-12)**

	Cumulative P & I	Cumulative Revenue		Cumulative P & I	Cumulative Revenue
<b>1</b>	\$0	\$0	<b>17</b>	\$19,810,023	\$13,105,937
<b>2</b>	\$380,349	\$57,278	<b>18</b>	\$21,390,635	\$14,420,397
<b>3</b>	\$760,698	\$273,530	<b>19</b>	\$22,971,246	\$15,734,857
<b>4</b>	\$1,482,677	\$635,158	<b>20</b>	\$24,551,857	\$17,049,318
<b>5</b>	\$2,318,533	\$1,286,161	<b>21</b>	\$26,132,468	\$18,363,778
<b>6</b>	\$3,562,449	\$2,098,698	<b>22</b>	\$27,332,731	\$19,678,238
<b>7</b>	\$4,806,364	\$2,914,351	<b>23</b>	\$28,532,993	\$20,992,698
<b>8</b>	\$6,050,279	\$3,730,004	<b>24</b>	\$29,391,625	\$22,307,159
<b>9</b>	\$7,294,194	\$4,545,657	<b>25</b>	\$30,136,380	\$23,621,619
<b>10</b>	\$8,810,275	\$5,361,310	<b>26</b>	\$30,473,076	\$24,936,079
<b>11</b>	\$10,326,356	\$6,176,963	<b>27</b>	\$30,809,772	\$26,250,540
<b>12</b>	\$11,906,967	\$7,103,003	<b>28</b>	\$31,146,468	\$27,565,000
<b>13</b>	\$13,487,579	\$8,058,611	<b>29</b>	\$31,483,164	\$28,879,460
<b>14</b>	\$15,068,190	\$9,233,124	<b>30</b>	\$31,547,694	\$30,193,920
<b>15</b>	\$16,648,801	\$10,479,171	<b>31</b>	\$31,612,224	\$31,508,381
<b>16</b>	\$18,229,412	\$11,791,477	<b>32</b>	<b>\$31,612,224</b>	<b>\$32,822,841</b>

TABLE 1 - DRAFT

SUNNYVALE TIRZ DISTRICT #1, SCENARIO 1 (4-30-12)

CASH FLOW SUMMARY - PRELIMINARY FINANCING PLAN IN CONSTANT 2011 DOLLARS

Year	Date	Annual P & I on Loans	Annual City Property Tax Contribution on Added Land & Bldg.	Annual City Sales Tax Contribution	Annual County Property Tax Contribution on Added Land & Bldg.	Annual 4A Sales Tax Contribution	Annual 4B Sales Tax Contribution	TOTAL TIRZ REVENUE	TOTAL NEW DIRECT TAXES INCLUDING SCHOOL DISTRICT & STATE OF TEXAS	NEW NON-TIRZ TAX REVENUE
			50%	50%	0%	75%	25%			
1	2012	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$217,500	\$217,500
2	2013	\$380,349	\$10,403	\$23,438	\$0	\$17,578	\$5,859	\$57,278	\$908,878	\$528,530
3	2014	\$380,349	\$26,777	\$94,738	\$0	\$71,053	\$23,684	\$216,252	\$2,686,193	\$2,305,845
4	2015	\$721,979	\$51,903	\$154,863	\$0	\$116,147	\$38,716	\$361,628	\$4,344,982	\$3,623,003
5	2016	\$835,856	\$116,279	\$267,363	\$0	\$200,522	\$66,841	\$651,004	\$7,570,219	\$6,734,362
6	2017	\$1,243,915	\$149,561	\$331,488	\$0	\$248,616	\$82,872	\$812,536	\$8,286,822	\$7,042,907
7	2018	\$1,243,915	\$152,678	\$331,488	\$0	\$248,616	\$82,872	\$815,653	\$8,187,951	\$6,944,036
8	2019	\$1,243,915	\$152,678	\$331,488	\$0	\$248,616	\$82,872	\$815,653	\$8,187,951	\$6,944,036
9	2020	\$1,243,915	\$152,678	\$331,488	\$0	\$248,616	\$82,872	\$815,653	\$8,187,951	\$6,944,036
10	2021	\$1,516,081	\$152,678	\$331,488	\$0	\$248,616	\$82,872	\$815,653	\$8,187,951	\$6,671,870
11	2022	\$1,516,081	\$152,678	\$331,488	\$0	\$248,616	\$82,872	\$815,653	\$8,666,451	\$7,150,370
12	2023	\$1,580,611	\$175,565	\$375,238	\$0	\$281,428	\$93,809	\$926,040	\$10,849,410	\$9,268,799
13	2024	\$1,580,611	\$205,133	\$375,238	\$0	\$281,428	\$93,809	\$955,608	\$11,336,834	\$9,756,222
14	2025	\$1,580,611	\$245,288	\$464,613	\$0	\$348,459	\$116,153	\$1,174,513	\$13,040,089	\$11,459,478
15	2026	\$1,580,611	\$263,071	\$491,488	\$0	\$368,616	\$122,872	\$1,246,046	\$13,549,270	\$11,968,659
16	2027	\$1,580,611	\$274,331	\$518,988	\$0	\$389,241	\$129,747	\$1,312,306	\$13,977,711	\$12,397,099
17	2028	\$1,580,611	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,372,999
18	2029	\$1,580,611	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,372,999
19	2030	\$1,580,611	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,372,999
20	2031	\$1,580,611	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,372,999
21	2032	\$1,580,611	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,372,999
22	2033	\$1,200,262	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,753,348
23	2034	\$1,200,262	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$12,753,348
24	2035	\$858,632	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,094,979
25	2036	\$744,755	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,208,855
26	2037	\$336,696	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,616,914
27	2038	\$336,696	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,616,914
28	2039	\$336,696	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,616,914
29	2040	\$336,696	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,616,914
30	2041	\$64,530	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,889,080
31	2042	\$64,530	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,889,080
32	2043	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
33	2044	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
34	2045	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
35	2046	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
36	2047	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
37	2048	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
38	2049	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
39	2050	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
40	2051	\$0	\$276,485	\$518,988	\$0	\$389,241	\$129,747	\$1,314,460	\$13,953,610	\$13,953,610
	Total	\$31,612,224	\$8,917,348	\$17,210,588	\$0	\$12,907,941	\$4,302,647	\$43,338,523	\$463,072,810	\$431,460,586

**Sunnyvale TIRZ #1 Preliminary Financing Plan  
Scenario 2**

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 2**  
**Phasing of Public Infrastructure Investments**  
**WORKING DRAFT, in Constant 2011 Dollars (4-30-12)**

<i>Public Development Projects</i>	<i>Owner/Entity</i>	<i>Construction Est.</i>	<i>Project Includes</i>	<i>Goal Start Year</i>
<b>2012</b>				
Pad @ S. Collins & Clay	Hardy Fields	\$10,000	Access Rd from S. Collins across Clay Property	2012
Collins Corner further development	Fry St. LP Rob Parades	\$2,000,000	Ring Rd, Sanitary & Storm Sewer, Water	2012
Sunnyvale Centre	FC Properties	\$3,000,000	Ring Road, All utilities, Natural Gas	2012
<b>Subtotal TIRZ Funding #1 Released in 2012</b>			<b>\$5,010,000</b>	
<b>2014</b>				
S. Collins Road, Funding Phase 1	TXDOT/County/City	\$3,000,000	Widening/Turning Lanes/Sidewalks	2014
N. Collins Road, Funding Phase 1	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2014
<b>Subtotal TIRZ Funding #1 Released in 2014</b>			<b>\$4,500,000</b>	
<b>2015</b>				
Nat. Gas on N and S Side of Highway 80		\$500,000	Gas Line Extension	2015
Sewer Extensions N & S Frontage Rds of Hwy 80		\$500,000		2015
Motley Property at West Town Limits / Hwy 80		\$500,000	Gas Extensions, Water, Sewer, Storm	2015
<b>Subtotal TIRZ Funding #2 Released in 2015</b>			<b>\$1,500,000</b>	
<b>2016</b>				
N. Collins Road, Funding Phase 2	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2016
T.C. Lupton	Sunnyvale	\$3,000,000	Reconstruction/Turning Lanes/Sidewalks	2016
E. Riverstone Dr.	Sunnyvale	\$500,000		2016
300 S. Collins Commercial Property	David Goodhart/ Paul Cash	\$375,000	Streets, Utilities, Gas, Electric, St. Lighting	2016
<b>Subtotal TIRZ Funding #3 Released in 2016</b>			<b>\$5,375,000</b>	
<b>2020</b>				
FC Properties		\$1,800,000	Storm Drainage, \$1.8m	2020
FC Properties		\$175,000	Sanitary Sewer Line Z \$50,000, Line X 125,000	2020
FC Properties		\$610,000	Water Improvements \$610,000	2020
Entrance Park at SW corner of Collins/ 80	TXDOT	\$500,000	Park landscaping	2020
Entrance Park at SE corner of Collins/80	TXDOT	\$500,000	Park landscaping	2020
<b>Subtotal TIRZ Funding #5 Released in 2020</b>			<b>\$3,585,000</b>	
<b>2022</b>				
N. Collins Road Sewer Line		\$100,000	8" sewer line	2022
Daniel and Henard Sewer Line	Daniel & Henard	\$250,000	Line C-2 \$250,000 from under Hwy 80	2022
Bicycle/Walking Path north of Hwy 80 on old RR	Luminant/Sunnyvale	\$500,000	12' Bicycle & Pedestrian Trail to Tripp Rd & Hwy80	2022
<b>Balance of Infrastructure Funding #6 in 2022</b>			<b>\$850,000</b>	
<b>Subtotal Prioritized Public Improvements</b>		<b>Total</b>		
		<b>\$20,820,000</b>		
<b>Current Total of Public Investment Options</b>		<b>\$20,820,000</b>		

## Sunnyvale TIRZ Preliminary Financing Plan Scenario 2

Loan Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	TOTAL
Amount	\$5,010,000	\$0	\$4,500,000	\$1,500,000	\$5,375,000	\$0	\$0	\$0	\$3,585,000	\$0	\$850,000	\$0	\$0	\$0	\$0	\$20,820,000
2012																\$0
2013	\$380,349															\$380,349
2014	\$380,349	\$0														\$380,349
2015	\$380,349	\$0	\$341,631													\$721,979
2016	\$380,349	\$0	\$341,631	\$113,877												\$835,856
2017	\$380,349	\$0	\$341,631	\$113,877	\$408,059											\$1,243,915
2018	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0										\$1,243,915
2019	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0									\$1,243,915
2020	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0								\$1,243,915
2021	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166							\$1,516,081
2022	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0						\$1,516,081
2023	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530					\$1,580,611
2024	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0				\$1,580,611
2025	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0			\$1,580,611
2026	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0		\$1,580,611
2027	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2028	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2029	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2030	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2031	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2032	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2033		\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2034			\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2035				\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$858,632
2036					\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$744,755
2037						\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2038							\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2039								\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2040									\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2041										\$0	\$64,530	\$0	\$0	\$0	\$0	\$64,530
2042											\$64,530	\$0	\$0	\$0	\$0	\$64,530
2043												\$0	\$0	\$0	\$0	\$0
2044													\$0	\$0	\$0	\$0
2045														\$0	\$0	\$0
2046															\$0	\$0
	\$7,606,976	\$0	\$6,832,613	\$2,277,538	\$8,161,177	\$0	\$0	\$0	\$5,443,315	\$0	\$1,290,605	\$0	\$0	\$0	\$0	\$31,612,224

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 2**  
**Summary of Principal and Interest on Each Loan Amount**

	<b>Total P &amp; I</b>	<b>Interest</b>	<b>Principal</b>
<b>2012</b>	\$ 7,606,976	\$ 2,596,976	\$ 5,010,000
<b>2013</b>	\$ -	\$ -	\$ -
<b>2014</b>	\$ 6,832,613	\$ 2,332,613	\$ 4,500,000
<b>2015</b>	\$ 2,277,538	\$ 777,538	\$ 1,500,000
<b>2016</b>	\$ 8,161,177	\$ 2,786,177	\$ 5,375,000
<b>2017</b>	\$ -	\$ -	\$ -
<b>2018</b>	\$ -	\$ -	\$ -
<b>2019</b>	\$ -	\$ -	\$ -
<b>2020</b>	\$ 5,443,315	\$ 1,858,315	\$ 3,585,000
<b>2021</b>	\$ -	\$ -	\$ -
<b>2022</b>	\$ 1,290,605	\$ 440,605	\$ 850,000
<b>Totals</b>	<b>\$ 31,612,224</b>	<b>\$ 10,792,224</b>	<b>\$ 20,820,000</b>
		34%	66%

**BREAK EVEN YEAR - SCENARIO 2 (4-30-12)**

	Cumulative P & I	Cumulative Revenue		Cumulative P & I	Cumulative Revenue
<b>1</b>	\$0	\$0	<b>16</b>	\$18,229,412	\$13,198,795
<b>2</b>	\$380,349	\$64,046	<b>17</b>	\$19,810,023	\$14,672,349
<b>3</b>	\$760,698	\$304,601	<b>18</b>	\$21,390,635	\$16,145,904
<b>4</b>	\$1,482,677	\$707,582	<b>19</b>	\$22,971,246	\$17,619,459
<b>5</b>	\$2,318,533	\$1,435,314	<b>20</b>	\$24,551,857	\$19,093,014
<b>6</b>	\$3,562,449	\$2,344,060	<b>21</b>	\$26,132,468	\$20,566,569
<b>7</b>	\$4,806,364	\$3,256,546	<b>22</b>	\$27,332,731	\$22,040,123
<b>8</b>	\$6,050,279	\$4,169,032	<b>23</b>	\$28,532,993	\$23,513,678
<b>9</b>	\$7,294,194	\$5,081,518	<b>24</b>	\$29,391,625	\$24,987,233
<b>10</b>	\$8,810,275	\$5,994,005	<b>25</b>	\$30,136,380	\$26,460,788
<b>11</b>	\$10,326,356	\$6,906,491	<b>26</b>	\$30,473,076	\$27,934,343
<b>12</b>	\$11,906,967	\$7,942,691	<b>27</b>	\$30,809,772	\$29,407,897
<b>13</b>	\$13,487,579	\$9,014,373	<b>28</b>	\$31,146,468	\$30,881,452
<b>14</b>	\$15,068,190	\$10,330,866	<b>29</b>	<b>\$31,483,164</b>	<b>\$32,355,007</b>
<b>15</b>	\$16,648,801	\$11,727,825			

TABLE 1 - DRAFT

SUNNYVALE TIRZ DISTRICT #1, SCENARIO 2 (4-30-12)

CASH FLOW SUMMARY - PRELIMINARY FINANCING PLAN IN CONSTANT 2011 DOLLARS

Year	Date	Annual P & I on Loans	Annual City Property Tax Contribution on Added Land & Bldg.	Annual City Sales Tax Contribution	Annual County Property Tax Contribution on Added Land & Bldg.	Annual 4A Sales Tax Contribution	Annual 4B Sales Tax Contribution	TOTAL TIRZ REVENUE	TOTAL NEW DIRECT TAXES INCLUDING SCHOOL DISTRICT & STATE OF TEXAS	NEW NON-TIRZ TAX REVENUE
			60%	60%	0%	75%	25%			
1	2012	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$217,500	\$217,500
2	2013	\$380,349	\$12,484	\$28,125	\$0	\$17,578	\$5,859	\$64,046	\$908,878	\$528,530
3	2014	\$380,349	\$32,132	\$113,685	\$0	\$71,053	\$23,684	\$240,554	\$2,686,193	\$2,305,845
4	2015	\$721,979	\$62,284	\$185,835	\$0	\$116,147	\$38,716	\$402,981	\$4,344,982	\$3,623,003
5	2016	\$835,856	\$139,535	\$320,835	\$0	\$200,522	\$66,841	\$727,732	\$7,570,219	\$6,734,362
6	2017	\$1,243,915	\$179,474	\$397,785	\$0	\$248,616	\$82,872	\$908,746	\$8,286,822	\$7,042,907
7	2018	\$1,243,915	\$183,214	\$397,785	\$0	\$248,616	\$82,872	\$912,486	\$8,187,951	\$6,944,036
8	2019	\$1,243,915	\$183,214	\$397,785	\$0	\$248,616	\$82,872	\$912,486	\$8,187,951	\$6,944,036
9	2020	\$1,243,915	\$183,214	\$397,785	\$0	\$248,616	\$82,872	\$912,486	\$8,187,951	\$6,944,036
10	2021	\$1,516,081	\$183,214	\$397,785	\$0	\$248,616	\$82,872	\$912,486	\$8,187,951	\$6,671,870
11	2022	\$1,516,081	\$183,214	\$397,785	\$0	\$248,616	\$82,872	\$912,486	\$8,666,451	\$7,150,370
12	2023	\$1,580,611	\$210,678	\$450,285	\$0	\$281,428	\$93,809	\$1,036,200	\$10,849,410	\$9,268,799
13	2024	\$1,580,611	\$246,159	\$450,285	\$0	\$281,428	\$93,809	\$1,071,682	\$11,336,834	\$9,756,222
14	2025	\$1,580,611	\$294,346	\$557,535	\$0	\$348,459	\$116,153	\$1,316,494	\$13,040,089	\$11,459,478
15	2026	\$1,580,611	\$315,686	\$589,785	\$0	\$368,616	\$122,872	\$1,396,958	\$13,549,270	\$11,968,659
16	2027	\$1,580,611	\$329,197	\$622,785	\$0	\$389,241	\$129,747	\$1,470,970	\$13,977,711	\$12,397,099
17	2028	\$1,580,611	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,372,999
18	2029	\$1,580,611	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,372,999
19	2030	\$1,580,611	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,372,999
20	2031	\$1,580,611	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,372,999
21	2032	\$1,580,611	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,372,999
22	2033	\$1,200,262	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,753,348
23	2034	\$1,200,262	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$12,753,348
24	2035	\$858,632	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,094,979
25	2036	\$744,755	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,208,855
26	2037	\$336,696	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,616,914
27	2038	\$336,696	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,616,914
28	2039	\$336,696	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,616,914
29	2040	\$336,696	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,616,914
30	2041	\$64,530	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,889,080
31	2042	\$64,530	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,889,080
32	2043	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
33	2044	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
34	2045	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
35	2046	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
36	2047	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
37	2048	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
38	2049	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
39	2050	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
40	2051	\$0	\$331,782	\$622,785	\$0	\$389,241	\$129,747	\$1,473,555	\$13,953,610	\$13,953,610
	Total	\$31,612,224	\$10,700,817	\$20,652,705	\$0	\$12,907,941	\$4,302,647	\$48,564,110	\$463,072,810	\$431,460,586

**Sunnyvale TIRZ #1 Preliminary Financing Plan  
Scenario 3**

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 3**  
**Phasing of Public Infrastructure Investments**  
**WORKING DRAFT, in Constant 2011 Dollars (4-30-12)**

<i>Public Development Projects</i>	<i>Owner/Entity</i>	<i>Construction Est.</i>	<i>Project Includes</i>	<i>Goal Start Year</i>
<b>2012</b>				
Pad @ S. Collins & Clay	Hardy Fields	\$10,000	Access Rd from S. Collins across Clay Property	2012
Collins Corner further development	Fry St. LP Rob Parades	\$2,000,000	Ring Rd, Sanitary & Storm Sewer, Water	2012
Sunnyvale Centre	FC Properties	\$3,000,000	Ring Road, All utilities, Natural Gas	2012
<b>Subtotal TIRZ Funding #1 Released in 2012</b>			<b>\$5,010,000</b>	
<b>2014</b>				
S. Collins Road, Funding Phase 1	TXDOT/County/City	\$3,000,000	Widening/Turning Lanes/Sidewalks	2014
N. Collins Road, Funding Phase 1	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2014
<b>Subtotal TIRZ Funding #1 Released in 2014</b>			<b>\$4,500,000</b>	
<b>2015</b>				
Nat. Gas on N and S Side of Highway 80		\$500,000	Gas Line Extension	2015
Sewer Extensions N & S Frontage Rds of Hwy 80		\$500,000		2015
Motley Property at West Town Limits / Hwy 80		\$500,000	Gas Extensions, Water, Sewer, Storm	2015
<b>Subtotal TIRZ Funding #2 Released in 2015</b>			<b>\$1,500,000</b>	
<b>2016</b>				
N. Collins Road, Funding Phase 2	Sunnyvale/Dallas County	\$1,500,000	Widening/Turning Lanes/Sidewalks	2016
T.C. Lupton	Sunnyvale	\$3,000,000	Reconstruction/Turning Lanes/Sidewalks	2016
E. Riverstone Dr.	Sunnyvale	\$500,000		2016
300 S. Collins Commercial Property	David Goodhart/ Paul Cash	\$375,000	Streets, Utilities, Gas, Electric, St. Lighting	2016
<b>Subtotal TIRZ Funding #3 Released in 2016</b>			<b>\$5,375,000</b>	
<b>2020</b>				
FC Properties		\$1,800,000	Storm Drainage, \$1.8m	2020
FC Properties		\$175,000	Sanitary Sewer Line Z \$50,000, Line X 125,000	2020
FC Properties		\$610,000	Water Improvements \$610,000	2020
Entrance Park at SW corner of Collins/ 80	TXDOT	\$500,000	Park landscaping	2020
Entrance Park at SE corner of Collins/80	TXDOT	\$500,000	Park landscaping	2020
<b>Subtotal TIRZ Funding #5 Released in 2020</b>			<b>\$3,585,000</b>	
<b>2022</b>				
N. Collins Road Sewer Line		\$100,000	8" sewer line	2022
Daniel and Henard Sewer Line	Daniel & Henard	\$250,000	Line C-2 \$250,000 from under Hwy 80	2022
Bicycle/Walking Path north of Hwy 80 on old RR	Luminant/Sunnyvale	\$500,000	12' Bicycle & Pedestrian Trail to Tripp Rd & Hwy80	2022
<b>Balance of Infrastructure Funding #6 in 2022</b>			<b>\$850,000</b>	
<b>Subtotal Prioritized Public Improvements</b>		<b>Total</b>		
		<b>\$20,820,000</b>		
<b>Current Total of Public Investment Options</b>		<b>\$20,820,000</b>		

### Sunnyvale TIRZ Preliminary Financing Plan Scenario 3

Loan Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	TOTAL
Amount	\$5,010,000	\$0	\$4,500,000	\$1,500,000	\$5,375,000	\$0	\$0	\$0	\$3,585,000	\$0	\$850,000	\$0	\$0	\$0	\$0	\$20,820,000
2012																\$0
2013	\$380,349															\$380,349
2014	\$380,349	\$0														\$380,349
2015	\$380,349	\$0	\$341,631													\$721,979
2016	\$380,349	\$0	\$341,631	\$113,877												\$835,856
2017	\$380,349	\$0	\$341,631	\$113,877	\$408,059											\$1,243,915
2018	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0										\$1,243,915
2019	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0									\$1,243,915
2020	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0								\$1,243,915
2021	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166							\$1,516,081
2022	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0						\$1,516,081
2023	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530					\$1,580,611
2024	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0				\$1,580,611
2025	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0			\$1,580,611
2026	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0		\$1,580,611
2027	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2028	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2029	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2030	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2031	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2032	\$380,349	\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,580,611
2033		\$0	\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2034			\$341,631	\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$1,200,262
2035				\$113,877	\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$858,632
2036					\$408,059	\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$744,755
2037						\$0	\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2038							\$0	\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2039								\$0	\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2040									\$272,166	\$0	\$64,530	\$0	\$0	\$0	\$0	\$336,696
2041										\$0	\$64,530	\$0	\$0	\$0	\$0	\$64,530
2042											\$64,530	\$0	\$0	\$0	\$0	\$64,530
2043												\$0	\$0	\$0	\$0	\$0
2044													\$0	\$0	\$0	\$0
2045														\$0	\$0	\$0
2046															\$0	\$0
	\$7,606,976	\$0	\$6,832,613	\$2,277,538	\$8,161,177	\$0	\$0	\$0	\$5,443,315	\$0	\$1,290,605	\$0	\$0	\$0	\$0	\$31,612,224

**Sunnyvale TIRZ Preliminary Financing Plan Scenario 3**  
**Summary of Principal and Interest on Each Loan Amount**

	<b>Total P &amp; I</b>	<b>Interest</b>	<b>Principal</b>
<b>2012</b>	\$ 7,606,976	\$ 2,596,976	\$ 5,010,000
<b>2013</b>	\$ -	\$ -	\$ -
<b>2014</b>	\$ 6,832,613	\$ 2,332,613	\$ 4,500,000
<b>2015</b>	\$ 2,277,538	\$ 777,538	\$ 1,500,000
<b>2016</b>	\$ 8,161,177	\$ 2,786,177	\$ 5,375,000
<b>2017</b>	\$ -	\$ -	\$ -
<b>2018</b>	\$ -	\$ -	\$ -
<b>2019</b>	\$ -	\$ -	\$ -
<b>2020</b>	\$ 5,443,315	\$ 1,858,315	\$ 3,585,000
<b>2021</b>	\$ -	\$ -	\$ -
<b>2022</b>	\$ 1,290,605	\$ 440,605	\$ 850,000
<b>Totals</b>	<b>\$ 31,612,224</b>	<b>\$ 10,792,224</b>	<b>\$ 20,820,000</b>
		34%	66%

**BREAK EVEN YEAR - SCENARIO 3 (4-30-12)**

	Cumulative P & I	Cumulative Revenue		Cumulative P & I	Cumulative Revenue
<b>1</b>	\$0	\$0	<b>14</b>	\$15,068,190	\$11,428,609
<b>2</b>	\$380,349	\$70,814	<b>15</b>	\$16,648,801	\$12,976,479
<b>3</b>	\$760,698	\$335,671	<b>16</b>	\$18,229,412	\$14,606,112
<b>4</b>	\$1,482,677	\$780,006	<b>17</b>	\$19,810,023	\$16,238,762
<b>5</b>	\$2,318,533	\$1,584,466	<b>18</b>	\$21,390,635	\$17,871,411
<b>6</b>	\$3,562,449	\$2,589,422	<b>19</b>	\$22,971,246	\$19,504,060
<b>7</b>	\$4,806,364	\$3,598,741	<b>20</b>	\$24,551,857	\$21,136,710
<b>8</b>	\$6,050,279	\$4,608,060	<b>21</b>	\$26,132,468	\$22,769,359
<b>9</b>	\$7,294,194	\$5,617,380	<b>22</b>	\$27,332,731	\$24,402,009
<b>10</b>	\$8,810,275	\$6,626,699	<b>23</b>	\$28,532,993	\$26,034,658
<b>11</b>	\$10,326,356	\$7,636,018	<b>24</b>	\$29,391,625	\$27,667,307
<b>12</b>	\$11,906,967	\$8,782,379	<b>25</b>	\$30,136,380	\$29,299,957
<b>13</b>	\$13,487,579	\$9,970,135	<b>26</b>	<b>\$30,473,076</b>	<b>\$30,932,606</b>

**TABLE 1 - DRAFT**

**SUNNYVALE TIRZ DISTRICT #1, SCENARIO 3 (4-30-12)**

**CASH FLOW SUMMARY - PRELIMINARY FINANCING PLAN IN CONSTANT 2011 DOLLARS**

Year	Date	Annual P & I on Loans	Annual City Property Tax Contribution on Added Land & Bldg.	Annual City Sales Tax Contribution	Annual County Property Tax Contribution on Added Land & Bldg.	Annual 4A Sales Tax Contribution	Annual 4B Sales Tax Contribution	TOTAL TIRZ REVENUE	TOTAL NEW DIRECT TAXES INCLUDING SCHOOL DISTRICT & STATE OF TEXAS	NEW NON-TIRZ TAX REVENUE
			70%	70%	0%	75%	25%			
1	2012	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$217,500	\$217,500
2	2013	\$380,349	\$14,564	\$32,813	\$0	\$17,578	\$5,859	\$70,814	\$908,878	\$528,530
3	2014	\$380,349	\$37,487	\$132,633	\$0	\$71,053	\$23,684	\$264,857	\$2,686,193	\$2,305,845
4	2015	\$721,979	\$72,664	\$216,808	\$0	\$116,147	\$38,716	\$444,334	\$4,344,982	\$3,623,003
5	2016	\$835,856	\$162,790	\$374,308	\$0	\$200,522	\$66,841	\$804,460	\$7,570,219	\$6,734,362
6	2017	\$1,243,915	\$209,386	\$464,083	\$0	\$248,616	\$82,872	\$1,004,956	\$8,286,822	\$7,042,907
7	2018	\$1,243,915	\$213,749	\$464,083	\$0	\$248,616	\$82,872	\$1,009,319	\$8,187,951	\$6,944,036
8	2019	\$1,243,915	\$213,749	\$464,083	\$0	\$248,616	\$82,872	\$1,009,319	\$8,187,951	\$6,944,036
9	2020	\$1,243,915	\$213,749	\$464,083	\$0	\$248,616	\$82,872	\$1,009,319	\$8,187,951	\$6,944,036
10	2021	\$1,516,081	\$213,749	\$464,083	\$0	\$248,616	\$82,872	\$1,009,319	\$8,187,951	\$6,671,870
11	2022	\$1,516,081	\$213,749	\$464,083	\$0	\$248,616	\$82,872	\$1,009,319	\$8,666,451	\$7,150,370
12	2023	\$1,580,611	\$245,791	\$525,333	\$0	\$281,428	\$93,809	\$1,146,361	\$10,849,410	\$9,268,799
13	2024	\$1,580,611	\$287,186	\$525,333	\$0	\$281,428	\$93,809	\$1,187,756	\$11,336,834	\$9,756,222
14	2025	\$1,580,611	\$343,404	\$650,458	\$0	\$348,459	\$116,153	\$1,458,474	\$13,040,089	\$11,459,478
15	2026	\$1,580,611	\$368,300	\$688,083	\$0	\$368,616	\$122,872	\$1,547,870	\$13,549,270	\$11,968,659
16	2027	\$1,580,611	\$384,064	\$726,583	\$0	\$389,241	\$129,747	\$1,629,634	\$13,977,711	\$12,397,099
17	2028	\$1,580,611	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,372,999
18	2029	\$1,580,611	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,372,999
19	2030	\$1,580,611	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,372,999
20	2031	\$1,580,611	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,372,999
21	2032	\$1,580,611	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,372,999
22	2033	\$1,200,262	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,753,348
23	2034	\$1,200,262	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$12,753,348
24	2035	\$858,632	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,094,979
25	2036	\$744,755	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,208,855
26	2037	\$336,696	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,616,914
27	2038	\$336,696	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,616,914
28	2039	\$336,696	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,616,914
29	2040	\$336,696	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,616,914
30	2041	\$64,530	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,889,080
31	2042	\$64,530	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,889,080
32	2043	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
33	2044	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
34	2045	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
35	2046	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
36	2047	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
37	2048	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
38	2049	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
39	2050	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
40	2051	\$0	\$387,079	\$726,583	\$0	\$389,241	\$129,747	\$1,632,649	\$13,953,610	\$13,953,610
	<b>Total</b>	<b>\$31,612,224</b>	<b>\$12,484,287</b>	<b>\$24,094,823</b>	<b>\$0</b>	<b>\$12,907,941</b>	<b>\$4,302,647</b>	<b>\$53,789,697</b>	<b>\$463,072,810</b>	<b>\$431,460,586</b>